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HAMILTON HARRIS

1820-1900



Harris, Hamilton  
Harms  
AN

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HAMILTON HARRIS.

BORN MAY 1, 1820.

DIED DECEMBER 14, 1900.

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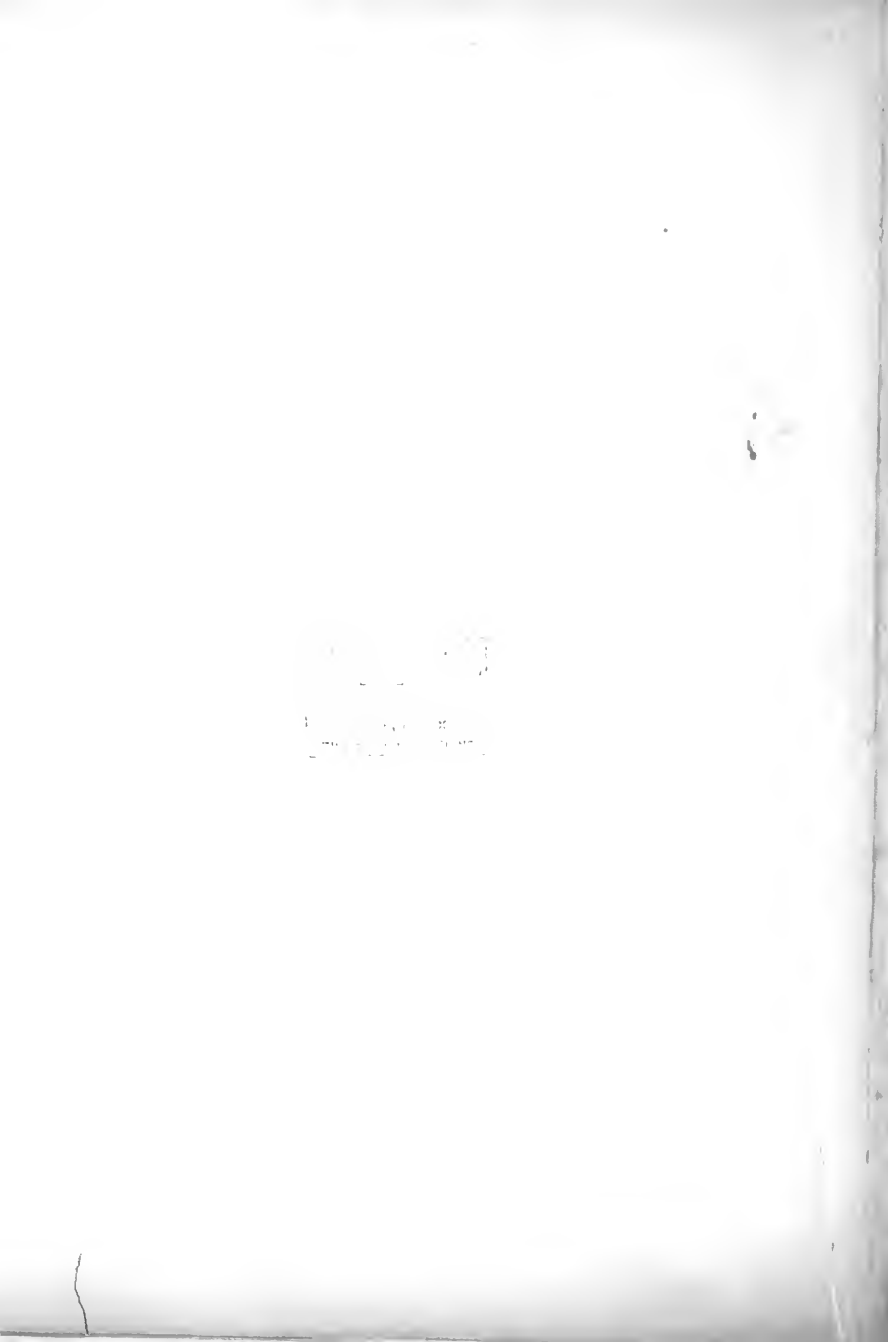
*Hamilton Harris*

*At the age of twenty years.*

Handwritten text, possibly a signature or name, written in cursive script.

At the age of 14 in 1870





Hamilton Harris —

*At the age of fifty years.*

William Harris

At the ... of ...



1000  
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Hamilton Harris

*At the age of eighty years.*

Robertson

At 10:00 PM, 10/10/10



THE  
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*(From the Albany Evening Journal, Friday, December 14, 1900.)*

DIED.

HARRIS — At midday, Friday, December 14, 1900,  
Hamilton Harris.

Funeral services at his late residence, No. 722 Broadway, on Monday afternoon at 2 o'clock.

At midday on Friday, December 14, 1900, Hamilton Harris died after an illness of but three days, in the 81st year of his age.

He was born at Preble, Cortland county, New York, May 1, 1820. His parents were natives of the State of New York, but his father, Frederick Waterman Harris, was of English and his mother, whose maiden name was Lucy Hamilton, of Scotch descent. At an early period in the history of Cortland county they settled at Preble, and they may therefore be regarded as pioneers of that delightful part of the State. The first paternal ancestor in this country came from Deal, England. The first maternal ancestor came from Glasgow, Scotland. When old enough, Hamilton Harris began his education in the common school of his native town, and after mastering all the branches taught there he entered Homer academy. After successfully pursuing his studies under the private tutorship of Michael Hyland and Dr. Peter Bullions of the Albany academy, he completed a preparatory course for college. He entered Union college in the class which graduated in 1841. He entered this critical era of his life well prepared for the contests in which he was about to engage.

In 1841 he was graduated with a high reputation as a classical scholar. He distinguished himself at the com-

mencement exercises by a very able and admirably delivered address. The magnitude of the subject was equaled by the maturity of thought which he brought to its consideration, and it was indeed as strong in reasoning as it was elegant in diction. The address has been preserved in print, as has been also a Fourth of July oration delivered by him in Albany in 1847, which was quite out of the order of such productions in thought and originality.

These early productions of Mr. Harris indicate his conviction that language is not merely the dress but the very body of the thought; that it is to the intellect what the muscles are to the principles of physical life; that the mind acts and strengthens itself through words; that it is chaos till defined and organized by language.

Through all his college course it was evident the mind of Mr. Harris was gravitating toward the legal profession. At this time Ira Harris, his brother, afterward one of the most eminent of the judiciary of the state, and United States senator, was and had been for a long time in the midst of an extensive practice at the bar. In his office Hamilton Harris prepared himself for his chosen profession. His call to practice took place in 1845. Having decided to make Albany his future residence, he opened an office in that city, and began practice at a bar brilliant in colonial, state and national history.

Though surrounded by learned, experienced and gifted rivals, the progress of his reputation was soon a matter of common remark. He seemed to possess a natural adaptation for legal polemics. He entered the

contests of the bar with an industry which no excess of toil could weary, and with a self command and practical ability which showed he possessed *in extenso* the qualities and acquirements that would soon render him an accomplished lawyer. He was very early surrounded by a large practice, rising rapidly to distinction in his profession. He soon became one of the most interesting and prominent members of the Albany bar. Having an easy and self-possessed manner, with great equanimity of temper, he gained in a singular degree the confidence of the court and jury. There was a magnetism about his whole manner which it was difficult to resist; his great knowledge of human nature, his keen perception of character, his discrimination of motive, enabled him, in dealing with juries, to address himself to the feelings, interests, biases and prepossessions of the individual juror. Although he made no effort for display, or to attract by his oratory, yet few lawyers in delivering an argument were ever listened to with more attention or interest, for there was a charm in his reasoning, in his simplicity of manner and style. There was beauty as well as force in his logic; attraction in the peculiar manner in which he brought his arguments to bear on the questions to be decided, and, when the occasion required, bursts of eloquence fell from his lips. Unfortunate it is to some that there could be no preservation of those words. He appreciated there is as much difference in the impression made upon the hearers by a cold, dry and confused speaker, and that made by one who pleads the same cause with elegance, order, and strength, as there is between our conception of an object when it is



presented to us in a dim light and when we behold it in a full and clear one. His mind penetrated to the very heart of every problem he attacked and was not deterred by practical obstacles.

His power of concentration was such that when in deep study he would come from his room to his library, passing several persons, amongst whom perchance was a particular friend, passing them all with no consciousness of their presence, and when on his return to his room with the desired book, he was spoken to, he would appear as if called from a trance, and would greet warmly this friend whom he for the first realized was there; his eyes and thoughts had been closed to all except the one subject under his consideration.

As has been said of one of the world's greatest rulers and generals, so it might be said of Mr. Harris "his mind was like a cupboard of pigeon-holes; to deal with any subject he opened the pigeon-hole relating to it and closed the others; when he wished to sleep he closed them all."

A learned, experienced and distinguished jurist once said, speaking of Mr. Harris, "Hamilton Harris has few if any equals at the bar. His manner of trying a case is peculiarly his own, unlike that of any other lawyer whom I know. I say this with full knowledge of his career at the bar, for he has tried many cases before me at the circuit, argued many in the Appellate Division of the Supreme Court of which I was a member, and very many in the Court of Appeals since I was honored by a seat on its bench. He enters on the trial or argument of a case with an eye single to success. He has a practi-

cal, useful and singularly irresistible manner before a jury and before appellate courts. He often assumes a simplicity of manner that would lead a stranger to think that he was indifferent to the trial, whereas it engages his sharpest attention, and thus his policy is seldom fathomed by his opponent. He often has a familiar way of speaking to a jury, using the simplest language and avoiding all professional pretensions. Much of his strength lies in the perfect candor with which he conducts his efforts at the bar, and this candor is enforced by an animated expression he can assume, that gives great effect to what he says. I have known him to succeed in the courts before a jury when it seemed evident he was to be defeated. He does it by bringing up and arraying facts which had been overlooked by his opponent, by his irresistible manner of eliciting and presenting the evidence of his own witnesses, and by most ingenious, deeply conducted and searching cross-examination of the witnesses against him. In a word, I have never seen in any other lawyer the subtlety and keen discrimination he displays in conducting his cross-examinations. I regard him as skillful and successful at the bar to-day as at any other period of his life."

This description of Hamilton Harris, coming from the eminent source it does, from one so fully capable, gives a perfect knowledge of him at the bar.

In 1848 Mr. Harris became a partner with Hooper C. Van Vorst, afterwards a judge of the Superior Court of New York city. This relation was dissolved in 1853 by the removal of Mr. Van Vorst to the city of New York. Soon after this Mr. Harris was associated

with Samuel G. Courtney, a son-in-law of Daniel S. Dickinson and for several years United States district attorney for the Southern District of New York. In 1857 he formed a copartnership with those brilliant lawyers, Clark B. Cochrane and John H. Reynolds. This was one of the strongest legal firms that ever existed in Albany. During this connection Mr. Cochrane and Mr. Reynolds both became members of Congress. This copartnership ended with Mr. Cochrane's death in 1867, but Mr. Harris and Mr. Reynolds continued their association till the latter's death in 1875. Mr. Harris in 1877 associated with him in the practice of his profession his son, Frederick Harris, and William P. Rudd.

In the autumn of 1853 Mr. Harris was nominated and elected district attorney of Albany county, serving until January 1, 1857. During his administration of this office he conducted several of the most important and stubbornly contested prosecutions for murder ever tried at the Albany bar; indeed there were few more important cases in legal history. The success that attended him sufficiently attests his accomplishments as a prosecuting officer. The comments of the press upon the manner in which he conducted his arduous duties are gratifying testimonials.

A history of the *causes célèbres* in which Mr. Harris has been engaged fills volumes, interesting to both practitioner and student.

Though he was not what may be termed a criminal lawyer, it was his fortune to be engaged in very many important criminal trials.

By a well-sustained progress Mr. Harris attained a

reputation in the trial and argument of civil actions that gives him a high rank in the profession.

As he advanced in his profession he devoted himself exclusively to civil business to the entire exclusion of the criminal, and the result was he enjoyed for a long time an extensive and lucrative practice as well as a high reputation in the courts. The reported cases in the Supreme Court and the Court of Appeals, argued by him, show in some degree the extent of the business, the magnitude of the cases in which he has been engaged, and the important questions of the law which he has argued.

During the legislative session of 1884, William McDonald was arraigned at the bar of the senate for refusing to answer questions before a legislative committee. He was committed by the senate to imprisonment in the common jail for contempt. In proceedings taken in the courts for his release, Mr. Harris appeared as one of his counsel, and his arguments for McDonald, which required and received at his hands as much research and learning as has been displayed in any case brought before the courts in late years, greatly extended his reputation as a profound lawyer. The commitment was declared by the General Term of the Supreme Court illegal, and McDonald was discharged.

During the legislative session of 1882, charges were preferred against Mr. Justice Westbrook, of the State Supreme Court, for misfeasance and malfeasance in the discharge of his judicial duties. The alleged facts were ingeniously marshalled and strengthened by accumulated allegations. They were sent to the Judiciary Committee

of the Assembly for investigation after a spirited debate.

Mr. Harris was retained by Judge Westbrook to conduct his case before the committee. The investigation before the committee began on April 21, 1882, and finally closed on the 27th of the following May. Mr. Harris making the closing argument. The argument of Mr. Harris was very able, and exposed the wickedness and absurdity of the charge against Judge Westbrook. The Albany Evening Journal of that date said: "There can be no answer to Mr. Harris' defense of Judge Westbrook, the only counsel before the committee who can truly be said to enjoy a large experience in his profession." The New York World of May 29, in an able review of the case, said: "Mr. Hamilton Harris' argument in vindication of Judge Westbrook fills a closely printed pamphlet of nearly fifty pages, but so close and clear is his presentation of the case that no lawyer will object to its length." The judge was honorably acquitted.

Mr. Harris' political career, though extended, has been subordinate to his profession. He was always interested in politics, but ranked among that class of politicians whose tastes, abilities, extensive learning, attractive eloquence and ready, powerful pen placed them in the domain of statesmen. While he was ardent in the support of the principles of his party, he never sought political or official promotion; but he enjoyed both, and these sought him instead of his seeking them.

Quite early in life he became prominent in the Whig party in Albany county, advocating its measures on the platform and with his pen, with such fidelity and ability that he soon took his place among the leaders of the

party in the county and state. In the autumn of 1850 he was elected member of assembly from the county of Albany. It was at this session of the Legislature that the building of the State Library and the improvement of the State Capitol became a prominent subject of legislation. Its success was largely due to the efforts of Mr. Harris. He was also a member of the joint committee of six to call state conventions and to construct a new party platform, which was one of the first steps in the formation of the Republican party. Mr. Harris aided largely in founding the Republican party, and has always been justly regarded as one of its strongest and ablest champions. From 1862 to 1870 he was a member of the Republican State Committee; from 1862 to 1864 he was chairman of the Executive Committee; from 1864 to 1870 he was chairman of the Republican State Committee, in which position he displayed great executive ability, and by his skillful political management more than once led his party to victory in closely contested state elections. A prominent writer once said: "His keen intuitions and his rare skill as an organizer, with a singular union of discretion with boldness, render him a natural leader of men." As a delegate in many state and national conventions Mr. Harris was active and strongly influential in sustaining the measures of his party. James G. Blaine, in his history of "Twenty Years of Congress," after recounting the action of Mr. Harris in the Republican National Convention of 1888, speaks of him as "a man of marked sagacity in political affairs."

At the legislative session of 1865 the question of erect-

ing a new capitol at Albany, which had been agitated at many previous sessions, culminated in more decisive action. Mr. Harris was elected president of a new Board of Capitol Commissioners, serving until 1875 with ability and success so marked that he has been frequently termed "the father" of the great measure. The Buffalo Commercial Advertiser at the time commenting upon the subject, said: "Let the people of Albany remember that to Hamilton Harris more than any other man they are indebted for the new capitol, from its inception in 1865 to its progress in 1879." To this the Albany Evening Journal made answer: "Never fear; Albanians will always remember it." The Albany Express, speaking of Mr. Harris' labors in behalf of the new capitol, said: "In other hands all the doubtful elements of the situation would have worked against it. Not so in the hands of Mr. Harris. The leader of the senate, by force of character, and with a strong cause committed to him, and with uniform courtesy and persistent labor, he carried the project through the crisis." The Troy Daily Times, in speaking of the structure, says: "The father of this structure which is to rank foremost among the majestic buildings of the world, is Hamilton Harris. Albany owes a debt of gratitude to Senator Harris for his advocacy of the stupendous enterprise and for his labors in carrying it on, which it never can repay."

In the autumn of 1875 Mr. Harris was elected to the senate of New York from his district. On taking his seat in that body he entered into its deliberations and its proceedings with a facility that indicated natural legislative abilities. As chairman of the Finance Committee,

of the Committee on Joint Library, and of the Select Committee on Apportionment, his labors were useful and exhaustive. On the floor of the Senate he always took a prominent part in the discussion of leading public questions. His arguments never failed to command respect and attention.

At the expiration of his senatorial term he was, in 1877, re-elected by a large majority. Having served his second term in a manner which brought to him high senatorial honors, he decided to abandon public life and devote himself exclusively to the extended duties of his profession. From this resolution he deviated but in one instance. In the fall of 1884 he ran as one of the Republican electors on the state ticket. In October, 1879, his name was prominently brought forward for re-election to the senate, and under circumstances so flattering few could have resisted the nomination. But Mr. Harris, adhering to his resolution, on October 3, 1879, in a brief note, published in the *Evening Journal*, most respectfully but peremptorily declined to accept the nomination under any circumstances.

Among his senatorial addresses which have passed into history are those touching the new capitol; on the Grand Army bill; on the question of historical societies holding real estate for preservation and monumental purposes; on higher education; on sectarian appropriations, and on taxation.

He closed his senatorial career under the following high tribute from the *Albany Morning Express*: "Mr. Harris is a natural leader; he unites discretion with boldness. His zeal is regulated by mature reflection.



His knowledge of men is intuitive, and his intuitions have been sharpened by wide intercourse. He is a close thinker, a cultured scholar, a thorough lawyer, a skillful organizer and ready debater, and he has a wide knowledge of and devotion to the interests of the state."

Mr. Harris believed that cultivation of literature, not only by lawyers but legislators, aids largely their strength and their interest. He well understood that where a writer or speaker has no farther object than to shine and to please, there is great danger of art being strained into ostentation, and of the composition becoming tiresome and languid, and that one should aim not merely to please, but also to inform, to instruct, to convince. He endeavored in his literary, legal and legislative efforts to inform, instruct, convince, and his success in this endeavor is a marked and lasting feature of all his oral and written productions. This extended to his legislative reports, as chairman of the various committees on which he served while a member of the legislature.

Mr. Harris believed that to complete a lawyer's education, to enable him to take an elevated position in it, much more is needed than mere knowledge of law; that he should honor and cultivate as unspeakably useful that literature which corresponds to and calls forth the highest faculties, which expresses and communicates energy of thought, fruitfulness of invention, force of moral purpose, a thirst for the true, and a delight in the beautiful.

He exhibited his literary taste, culture and abilities as a writer on the lecture platform, and as a speaker in popular assembly. He had the rare faculty of putting

his readers or his audience in full possession of his thoughts, and of keeping the communication between himself and them always open; always avoiding those affected grasps after originality, on the one hand, and that sickly prettiness of style, on the other, so much sought after by commonplace lecturers and writers.

Several of his addresses have been published, notably his lecture on "Politics and Literature," delivered in 1880 by him before the Young Men's Association of Albany, eliciting general commendation.

Mr. Harris denied in this lecture that public men and politicians are absolved in any degree from the obligations of strict honor and morality. He insisted that political power is not a prize which justifies mean acts and compliances with usages that would be scorned in private life; that platitudes, intrigues, hollow pretensions, and appeals to base passions, deserve signal rebuke when employed to compass political ends. Quoting his own words:

"The man who devotes himself to politics as a business, for the purpose of securing position for support, is worthy of little consideration, and gathers the least satisfaction that can be derived from any of the employments of men. His existence is a miserable one of servility and solicitation, delays and disappointments, to end generally in poverty and obscurity. He who would best serve the state and win a name and secure public confidence should possess lofty principles; a keen faculty of vision to discover the wants and interests of society; an accurate acquaintance with current events, opinions and social tendencies; a deep penetration into

the motives of human action, and a clear determination of the results of measures and movements."

The manner in which Mr. Harris illustrated the advantage of combining literary attainments with political acumen was very forcible and happy. He gave many instances from history where the treasures of literature increased the usefulness and strength of political labor.

"The low ambitions of life," he said, "and the grosser pleasures of sense are characteristic of the illiterate. Literature is the source of refinement and enlightenment; it imparts wisdom, elevates thought and adorns character."

The numerous favorable comments of the press upon this address evince at once its ability and its effect upon the public mind.

A published address delivered in 1878 by Mr. Harris before the Young Men's Association of Albany on "The Tower of London," was a production that created great interest at the time of its delivery, and was eagerly read after its appearance in the public journals. It is remarkable for its historic research and for the pleasing diction in which he so vividly described that grand old fortress of the past, around which so many historical incidents cluster. The structure has often been described by tourists, but few, if any, have described it in the manner and in the light of history, which Mr. Harris did in his address.

"Its story," he said, "is interwoven with the annals of Great Britain. The historic memories of eight centuries cluster around it. The history of many of the bravest as well as the darkest deeds of the empire is

written in its walls. With it is associated the glory of proud triumphs and gorgeous ceremonials, together with the pathetic and tragic vicissitudes and mutations of human fortune."

These deeds and the worthiest actors in them attracted the pen of the lecturer. His portraiture showed a wide range of reading and the appreciative and discriminating hand of a close student.

Among the remarkable published addresses which Mr. Harris has delivered before institutions of learning is that on "Self-Effort," before the students of the State Normal college, March 1, 1892. This address is full of beautiful diction and attractive illustration. It shows that even in colleges and other institutions of learning self-effort is exceedingly necessary in attaining an education; that without it, it is difficult to rise to the position of an accomplished scholar. Many instances were given where men have arisen to distinction as scholars by silent study, without the aid of tutorship or classic surroundings, very many of them never seeing the inside of a college, and yet it was supposed they had gained their attainments in this regard in the halls of the most venerable institutions of learning in the country. Mr. Harris encouraged seeking higher education in the usual way, for he said in the course of his address:

"In addressing the students of the college upon the subject of self-effort, I do not wish to be understood as in any way speaking in depreciation of the higher education obtained by extended study at the seats of learning. My desire is only to say some words of encouragement to ingenious youth, who may be deprived by circum-

stances of the advantages afforded by the great universities.

"Life has been likened to a game of whist, where the cards are dealt out by destiny, which fixes the rules of the game. The players are left to win or lose, according to their manner and skill in playing. In such a game no one would think of winning without first becoming possessed of a full knowledge of the cards and the rules governing the play.

"So the fortune of each person depends upon his knowing something of the rules of a game vastly more intricate and important. This game is the Game of Life, and the board upon which it is played is the world. As the fate of each player turns upon his manner and skill in playing, how necessary it is that he should be well informed so as to play his part to win. How unwise it would be to lose from indifference and ignorance. Where the stake is success in life, we would suppose that there would be an eager pursuit to become thoroughly equipped for the contest; that from the start there would be a supreme desire to acquire knowledge, and to discipline the mind so as to play well." \* \* \*

" 'The fault is not in our stars, but in ourselves, if we are underlings.' The lessons of life incite man to be true to himself; to reverence his own thought and act; to exercise his faculties; to release himself from the restraints of society; to depend upon himself, rather than to trust to others. They show that he who by self-effort achieves an illustrious career is a noble of nature's creating. \* \* \* Fortune may withhold that 'glorious accident, a name below,' but you will have lifted your-

self above her favors, and become fitted for higher destiny hereafter."

Mr. Harris spent much of his time in his large library amongst the works of eminent English and American statesmen, orators, poets, jurists and scholars. To him it was peopled with living minds, speaking to him of history, of philosophy, of eloquence, and all the riches of ancient and modern literature.

It is natural a mind thus devoted to books and research should be a friend to the cause of education and the diffusion of knowledge by the establishment of schools and colleges, and we find that not only in his private life but in his legislative career he has been the warm advocate of the cause of popular and higher education.

One of his ablest speeches in the senate was in support of higher education. This speech, which was widely circulated through the state by the friends of popular education, was delivered January 29, 1879, in committee of the whole, having under consideration the Governor's message. That document recommended the abandonment of the system of aiding the public high schools, which had prevailed so many years in the state. The Governor, in his message, took strong grounds against the state's aiding in giving higher education to the children of the poor, terming it legalized robbery to do so.

This attack upon the education of the poor brought Senator Harris to his feet, and he repelled it in the admirable speech to which we have alluded. The debate was long and ardent, continuing at intervals until the 5th of February, 1879, when Mr. Harris closed it. He

reviewed the various legislative enactments which had become laws, favoring popular education, and the great advantages flowing to the people from them.

"The true theory," he said, "upon which the state educates its children is not simply for the benefit of the individual, but it is to enlarge his mind and elevate his character, to increase his efficiency and value as a citizen, and thus add power and influence to the community in which he lives, contributing thereby to the prosperity and elevation of the state. The time has arrived in the history of the world when a nation takes rank according to the intelligence and elevation of the people. The hope for the prosperity of free institutions especially rests upon popular education." Again, Senator Harris said: "The doctrine that higher education disqualifies the poor for their duties and labors is the old doctrine of caste and aristocracy which debarred the people of foreign countries from rising above the condition in life in which they were born. It is the expression of the belief that all men are not equal. It is the utterance of a disbelief in the first principles upon which our government was founded. It is not the doctrine of America, which throws wide open the door of every school house that all children may receive the benefit of the best education, so that they may better their own condition in life, and thus better the condition of the state itself. If the views of the Governor should be adopted the state would step back a half century instead of advancing, and the children of poor men would have to dismiss all desire and ambition to improve their condition, and be kept in the position in which they found themselves

by the accident of birth. Many of our greatest men, men of eminence in public life and in the professions, have been taught in our free schools, and sprung from the lower conditions of life. Had the views of the Governor prevailed, many of the men who have molded the opinions of the country, framed its laws, and upheld its institutions, would have been forced to pass their lives in following the same narrow path that their fathers trod, and remain in the condition in which they were born. I say then that the proposition that a higher education than the rudimentary one of the common schools is not a benefit to the poor man — that the children of the poor should only learn to labor, and not to think — is monstrous, even though it comes from the executive chamber."

Thus Hamilton Harris was champion of the cause of popular education on the floor of the senate. He strongly advocated our system of popular education. He became popular with the friends of education throughout the state, and was elected a Regent of the New York State University by the legislature of 1885. This action was greeted with general approbation by the press and the voice of the public. Speaking of it, the Albany Evening Journal said:

"The position of Regent of the University is the single honor within the power of the state to bestow upon its scholars, and the unanimous accord of the nomination for that position to the Hon. Hamilton Harris of this city was a fitting and especially appropriate tribute to his learning and ability. To be chosen out of the many public-spirited scholars of the state



would be a great compliment to confer upon any citizen. To be chosen unanimously is a recognition that has seldom been awarded by the state to learning. The designation of Senator Harris of Albany for the position is one the propriety of which our citizens will gratefully recognize. Although Mr. Harris' reputation through the state rests chiefly on his political and professional achievements, Albanians know him also as a man of research and attainments in the field of literature and in those general studies which bring grace and symmetry to the mind. His interest in the educational affairs of the state and of the city has been often demonstrated, and he will bring to the Board of Regents a practical knowledge of the requirements of our school system that cannot but be of advantage to the state."

In recognition of the high professional and literary abilities of Mr. Harris, the degree of LL. D. was, in 1891, conferred upon him by Union College, his Alma Mater.

The Albany Argus, in speaking of the literary honor thus conferred, in its issue of June 24th, 1891, said:

"At the commencement exercises, June 23, Union College conferred upon the Hon. Hamilton Harris of this city the degree of doctor of laws. The bestowal of the honor is the more felicitous at this time as the day was the golden anniversary of his graduation from Union, Senator Harris having taken his degree as bachelor of arts with the class of '41. The distinction is a graceful tribute on the part of this venerable institution to one of its most eminent sons, the leader of the bar of Albany, and one of the first lawyers of the state, and, further-

more, a gentleman whose studies in literature, apart from his profession, entitle him to that degree which, when bestowed worthily and by an institution of renown, has come to be regarded as the highest recognition of scholarship."

Mr. Harris was a positive man. There was something in his bearing, whether in the court-room or elsewhere, that inspired respect. It has been said of him truthfully that "He throws himself heart and soul into whatever business he does and whatever cause he espouses." His opinions, both of persons and things, were decided and confident. In forming them he was entirely free from the errors which spring from undue examination or want of just appreciation. In other words, he weighed men very much as they were, regardless of adventitious circumstances. Long a prominent resident of Albany, he exhibited, as we have seen, the character of a liberal and public-spirited citizen; identified himself with all prominent measures, tending not only to the advancement of the city but of the state and country, and fairly won for himself an honorable place in history.

In May, 1850, Mr. Harris married in Buffalo, Lucy Moody Rogers, the eldest daughter of the late Nathaniel Rogers, of that city. She died in December, 1898. They had two children — Frederick and Lucy Hamilton. Lucy Hamilton died in April, 1897.

Then for the first time did Mr. Harris seem to realize the number of his days and what a loss death could create, when in little more than a year after, his wife and companion of nearly fifty years died, his grief became so great as to break him, and although those

that were left with him thought he could survive it, still, these lines of his, written when alone in the secret precincts of his chamber, show that that grief was too strong for human bearance, and they also show the inner soul of the man:

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“When I started in my profession, fifty years seemed a long time to look forward to, but now that they have passed, they seem a very short time to look back upon. Always well, I have been so engrossed in my pursuits as to take little heed of the rapidity with which I was being borne down the stream of time. Awakened suddenly by the loss of both wife and daughter, I find that I am on the verge of the psalmist’s extreme limit of “the days of our years,” before I am hardly conscious of being more than well on the way. Somewhat worn and greatly grieved that those nearest and dearest to me, who in the course of nature should have followed, have preceded me, I struggle on to finish my voyage, without the charm and cheer of their companionship, but in the hope, through a merciful God, that I may be permitted to join them in the future life, believing their spiritual natures immortal and that in passing out of this life they retain their individuality in the other.”

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“There is anguish in the recollection that we have not adequately appreciated the affection of those whom we have loved and lost.”

“The life which made my own life pleasant is at an end and the gates of death are shut upon my prospects. \* \* \* The blameless life, the artless tenderness, the pious simplicity, the modest resignation, the patient sickness and the quiet death, are remembered only to add value to the loss, to aggravate regret for what cannot be amended, to deepen sorrow for what cannot be recalled. \* \* \* The dead cannot return and nothing is left here but languishment and grief. \* \* \* We must walk downward to the grave alone and unregarded, without any partner of our joy or grief, without any interested witness of our misfortunes or success. \* \* \* What is success to him that has none to enjoy it? Happiness is not found in self-contemplation; it is perceived only when it is reflected from another. We know little of the state of departed souls. Reason deserts us at the brink of the grave and can give no further intelligence. Revelation is not silent. Let hope therefore dictate what revelation does not confute; that the union of souls may still remain.”

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“ ‘Tis falsely said  
 That there was ever intercourse  
 Between the living and the dead,  
 For surely then I should have sight  
 Of her I wait for day and night,  
 With love and longings infinite.”

---

“One year — one year — one little year,  
 And so much gone!  
 And yet the even flow of life  
 Moves calmly on.

Where hast thou been this year, beloved ?  
 What hast thou seen, —  
 What visions fair, what glorious life,  
 Where thou hast been ? ”

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“ Do you know I have walked a year, dear,  
 Of our earth-life, missing you ?  
 Do you know of the pain that has filled my heart ?  
 Of my struggle with grief and woe ? ”

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“ To-night I sit alone and hear  
 The songs my dead did sing,  
 And in mine ears their voices clear  
 Will never cease to ring.”

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‘ How shall I know thee in the sphere which keeps  
 The disembodied spirits of the dead,  
 When all of thee that time could wither sleeps  
 And perishes among the dust we tread ?  
 For I shall feel the sting of ceaseless pain  
 If there I meet thy gentle presence not ;  
 Nor hear the voice I love, nor read again  
 In thy reverent eyes the tender thought.  
 Will not thy own meek heart demand me there ?  
 That heart whose fondest throbs to me were given ;  
 My name on earth was ever in thy prayer  
 And wilt thou never utter it in Heaven ?  
 The love that lived through all the stormy past,  
 And meekly with my harsher nature bore,  
 And deeper grew, and tenderer to the last,  
 Shall it expire with life, and be no more ?

Yet though thou wear'st the glory of the sky,  
 Wilt thou not keep the same beloved name,  
 The same fair thoughtful brow, and gentle eye,  
 Lovelier in Heaven's sweet climate, yet the same?"

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"My Lucy! dear departed shade!  
 Where is thy place of blissful rest?  
 See'st thou thy lover lowly laid?  
 Hear'st thou the groans that rend his breast?"

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*(From the pen of one long associated with and devotedly attached to Mr. Harris.)*

#### HAMILTON HARRIS.

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Hamilton Harris died yesterday at his residence in this city, which had been his home upwards of fifty years.

His illness had been brief, and to most of the people in this community, his death came as a great shock.

He was in no sense an ordinary man. Striking in appearance, a great lawyer, a kindly man, and a good citizen, he was one of the most pronounced personalities in our old city.

He graduated from Union College in 1841, and shortly thereafter came to Albany, and began the practice of law. He early realized that the law was a jealous mistress. He devoted his great physical and mental powers to the utmost, and in the practice covered a period of years and a field of work which is allotted to but few.

His name appears in the reports of the adjudications of the highest court of the state as early as 1845, and continuously and uninterruptedly from time to time he appeared in that court, and in others, to fulfil to the utmost a duty to his client and himself, which judging by the force and the power of application which he brought to bear, was to him a duty almost sacred.

For over half a century he was a man towering conspicuously above his fellows, but that fact never seemed to dissipate the sentiment of modesty and lack of pretention which characterized his daily life, and his professional efforts.

His marked characteristic was gentleness and helpfulness towards those bearing a burden. He never turned aside from those who sought his aid, and his first thought was how he could be instrumental in relieving their cares.

He was a great lawyer, a reader of the best products of English literature, a man of practical common sense, a firm and consistent fighter for the cause, legal or civic, in which his sympathies were enlisted; a good citizen, a modest and patient character, a faithful friend and a man whose life work brought credit and honor to himself and to the state.

He has filled in this community and state places of great trust and honor, always with credit to himself and advantage to his constituency. For many years one of the state's great political leaders, his name was a synonym of political strength and acumen.

He had the respect of the judges and the older practitioners because of his ability, industry and earnestness.

He had also the affection and regard of the younger members of the bar, who found in him a friend, at whose hands they were sure of the kindest consideration, and the most generous treatment.

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*(From the Albany Evening Journal, Friday, December 14, 1900.)*

HAMILTON HARRIS'S LIFE WORK ENDED — DEAN OF THE ALBANY BAR DIED IN HIS HOME ON BROADWAY THIS MORNING — ILL BUT THREE DAYS — APPEARED FOR THE DEFENSE IN A SUPREME COURT ACTION ON TUESDAY.

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The career of one of the most brilliant members of the State Bar Association closed at 11:45 this morning, when death claimed the Hon. Hamilton Harris.

His was an active and strenuous life. He had made his name an honored one, not only in his native city and state, but throughout the land, of which he was a type of its best citizen. His spirit is best evidenced by the closing days of his life. It is but three days since he appeared in court, and in the eighty-first year of his life, with his vigor but slightly impaired, defended a case of great importance to the corporation he represented, the New York Central and Hudson River Railroad Company, with which he has been associated for years.

The case was a negligence action to recover \$50,000, which has proceeded as far as the conclusion of the plaintiff's testimony. It was shortly before four o'clock



that Mr. Harris began the motion for a non-suit and he argued until the closing of court at six o'clock.

It was manifest during the argument that Mr. Harris was laboring under physical suffering, but his argument did not lose any of its vigor and logic. Two hours later, after he had gone to his home on Broadway, he lost consciousness and began to sink rapidly, until this morning at a quarter to twelve, when he died.

He was stricken Tuesday, December 11, the second anniversary of the death of his wife. The cause of his death was blood poisoning, which resulted from a bruise upon his left leg, caused by striking it against a piece of furniture.

At his bedside when life passed away were his sister, Clara Harris, the only survivor of his immediate family; his son, Frederick Harris; his granddaughter, Miss Harris, and his legal partner of the past twenty-seven years, William P. Rudd.

The Hon. Hamilton Harris has been a striking figure in the civil and criminal courts of New York State since his graduation from Union College in 1841. He was the oldest member of the Albany County Bar, preceding William C. McHarg by one year, Mr. McHarg having graduated from Union college in 1842. For fifty-five years Mr. Harris' name has appeared in the records of the highest courts of the state. In the first year after his admission to the bar his name appeared in the records of the court held by Chancellor Walworth at Saratoga and reappears continuously down to the present time.

His marked personal characteristic was his chivalry

of the old school, his consideration and kindly treatment of all with whom he was associated in business and otherwise. He was always willing to help those about him and his thoughtfulness was remarkable. Mr. Rudd, who has been associated with him for twenty-seven years as his legal partner, paid him an eloquent tribute this morning in a few simple words which admirably sum up the qualities which won for him the love of all who knew him. He said: "I have never heard him criticize the acts of those associated with him, or even inquire why something else had not been done instead of what had been. Everything done for him always seemed to him to be satisfactory."

The death of his wife, which occurred December 11, 1898, was a blow from which Mr. Harris did not recover. As a mark of his love and esteem, he did not appear in court for a year, and that one year was the only one in fifty-five, since his admission to the bar, that he did not appear in active advocacy.

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The secretary of the Albany County Bar Association has issued the following call:

"All members of the Bar of Albany county are requested to attend a meeting to be held in the Supreme Court room in the city hall, Monday, December 17, at ten o'clock A. M., to take action on the death of Hamilton Harris.

" Dated, ALBANY, December 14, 1900.

" Albany County Bar Association.

"By J. C. E. SCOTT,

"*Secretary.*"

The directors of the Commercial National Bank are meeting this afternoon. They will take action on Mr. Harris' death.

The funeral will occur Monday afternoon from the family residence, 722 Broadway. Dr. David O. Mears of the Fourth Presbyterian Church will officiate.

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No name has been more conspicuously associated with the bar of Eastern New York than that of Mr. Harris, and few lawyers have brought to their profession a more energetic mind, a more fortunate combination of legal and scholarly acquirements or stronger or more practical administrative abilities.

Born at Preble, Cortland county, N. Y., on the 1st of May, 1820, Hamilton Harris passed his boyhood amidst the beautiful natural scenery of his native place, engaging in the healthful exercises, sports and pastimes of a life in the country. His father, Frederick Waterman Harris, a native of the State of New York, but of English origin, was one of the sterling pioneers of Cortland county. His mother, whose maiden name was Lucy Hamilton, was of Scottish ancestry, and possessed many of the noble qualities of that race.

He first attended the school at Preble, where he mastered the elementary principles of education and was soon prepared for a higher course of study. Accordingly, he was, when ten years of age, sent to the Homer academy, and after a thorough course of instruction there, he continued his studies under private tutorship of Michael Hyland and Dr. Peter Bullions of the Albany

academy, after which, entering Union college at Schenectady, then in the days of its greatest renown with Dr. Nott at its head, he graduated with high honors in 1841.

Upon graduation he entered the law office of his brother, the Hon. Ira Harris, afterwards one of the ablest and most eminent of the judiciary of the state and a United States senator. Mr. Harris was admitted to the bar in 1845, and immediately began active practice in this city. He rapidly acquired a high reputation as an able, accomplished lawyer, and for many years was one of the most prominent leaders of the Albany Bar.

In 1848 he formed a law partnership with the Hon. Hooper C. Van Vorst, afterwards a judge of the Superior Court of New York city. This continued till 1853, when Mr. Van Vorst removed to the metropolis. He was next associated with the Hon. Samuel G. Courtney, who was for several years United States district attorney for the Southern District of New York.

During all these years Mr. Harris was increasing in popularity in his profession, and his legal abilities were becoming widely known throughout the state. In 1857 he formed a partnership with the Hon. Clark B. Cochrane and the Hon. John H. Reynolds. This firm will long be remembered as one of the strongest that ever existed in Albany. It did an immense law business, being retained in many of the most important cases, both far and near. Ten years after the formation of this partnership Mr. Cochrane died, but Mr. Harris and Mr. Reynolds continued their association during a period of eight years, when the grave closed over the remains of the brilliant Reynolds, a man so eminent in his pro-

fession and so fascinating in his social qualities. Since Mr. Reynolds' death, Mr. Harris has continued the practice of his profession in association with his son Frederick, and with William P. Rudd, which firm has had as extensive a practice as any in the country.

In 1853 Mr. Harris was elected district attorney of Albany county, serving in this capacity till January 1, 1857. Here his legal talents shone forth in great lustre. He was one of the ablest district attorneys the county ever had. He conducted several noted cases with great learning, adroitness and success, among which was the argument in the case of *The People against Hendrickson*, indicted for the murder of his wife by poison in 1853. He conducted on the part of the people the several trials of McCann for the murder of his wife in 1856; the murder cases of *The People against Phelps*; *The People against McCrossen*; *The People against Dunnigan*; *The People against Cummings*; and defended in the case of *The People against Reiman*. In many memorable and important civil cases Mr. Harris had won great distinction throughout the state by the able manner in which he conducted them, and the deep legal research and the profound general learning which he displayed.

While carrying on an extensive law practice he early turned his attention to the field of politics. At first a staunch Whig, he became on the formation of the Republican party one of its strongest champions. As a member of the Republican State Committee from 1862 to 1864, and chairman of the Republican State Committee from 1864 to 1870, he displayed fine executive abilities in the management of political affairs, commanding the admiration of his party.

When the erection of the new capitol, greatly through the persistent labors of Mr. Harris, was decided upon by the legislature of 1865, he was elected president of a new board of capitol commissioners, and served with marked ability and untiring diligence until 1875, when he resigned. In the autumn of 1875 he was elected to the State Senate, and at once took a leading part in the deliberations of that body. Re-elected by a large majority in 1877, he won still higher senatorial honors during his second term, indicating the possession of true legislative qualities, as a close thinker, a bold leader, a skillful organizer, and a ready debater. In 1884 Mr. Harris argued the case of William McDonald, arraigned at the bar of the senate for refusing to answer questions before a legislative body; and he successfully conducted the case of Judge Westbrook before the senate committee in 1882.

In 1884 Mr. Harris was one of the Republican electors on the state ticket.

Mr. Harris possessed keen literary taste and culture and great ability as a writer, lecturer and public speaker. Several of his addresses have been published, notably "Politics and Literature," "The Tower of London," and "Self-Effort." On March 10, 1885, he was unanimously elected a member of the Regents of the University of the State of New York.

Mr. Harris' love of general literature was shown by his choice private library, which contained all the principal works of eminent English and American statesmen, orators, poets, jurists and scholars, as well as the best writings in almost every department of human

learning. It is one of the most valuable collections in Albany.

A man of commanding presence, of sound physical constitution, and of capacious intellect, he had the power to sway an audience with his strong, persuasive eloquence. As a forensic and political orator, Mr. Harris occupied a high position in the history of our city, our state and country. Logical in argument, brilliant in speech, exhaustive in research, when stirred to the depths of his heart by the greatness of his theme, there was a magnetism about his whole manner which it was difficult to resist.

Mr. Harris had a great knowledge of human nature, a keen perception of character and discrimination of motive, which enabled him, in dealing with juries, to address himself to the feelings, interests, biases and prepossessions of the individual jurors. He was a fluent speaker, with an easy colloquial manner, and the art of his advocacy was exhibited in clear and simple appeals to the understanding; in sinking the professional character of the advocate, elevating the merits of his case, adopting his suggestions and inferences to the opinions or prejudices of the jury, and speaking very earnestly on points useful to his case, and passing easily over others that were hurtful to it in a way the best calculated to draw observation from the difficulties he had to deal with.

At the time of his death he was a director of the Commercial National Bank.

SUPREME COURT NOTIFIED — ADJOURNMENT ORDERED  
OUT OF RESPECT TO MR. HARRIS' MEMORY.

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In the Supreme Court at noon Simon W. Rosendale announced Senator Harris' death. He said: "If your honor pleases, I am charged with a very sad and most painful duty; it is the announcement that this morning occurred the death of the Nestor of our bar — Hamilton Harris. Coming so recently from the scenes of activity, the calendar of this court showing a case in the trial of which he was actively engaged when stricken, brings to our minds really that in the midst of life we are in death. \* \* \* His death removes one of our best known citizens and certainly a lawyer of great standing and reputation, not only locally, but throughout the state and far across the domains of our land." He concluded with an announcement of the meeting of the Bar Association.

Justice Chester replied very feelingly. He said in part: "No announcement could strike me more deeply than that of the death of Senator Harris. I cannot trust myself at this moment to speak of him as I should. From the time of my first residence in Albany he was my personal friend. \* \* \* It is fitting that the court should take an adjournment out of respect to his memory. He was one of the oldest and, as all know, one of the ablest members of the bar in this county and in the state. \* \* \* Members of the bar and attendants of the court will want to attend his funeral



Monday, and out of respect to his memory the court will not sit on that day." Marcus T. Hun will announce his death to the Court of Appeals before adjournment to-day.

The Albany County Bar Association will meet Monday morning at ten o'clock.

The Supreme Court adjourned until Tuesday as a mark of respect.

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*(From the Albany Journal's Editorial Column, Saturday, December 15, 1900.)*

Through the death of Hamilton Harris the bar of this city and of the whole state, and the city of Albany, have sustained a severe loss. His was a life remarkable for its duration and its sustained activity. In him, nature had united a brilliant mind with splendid physical strength. Few men who reach the age to which he lived are able to pursue their vocation with virtually undiminished vigor to the very end. The last effort of which he was capable was made in the practice of his profession. It was mainly will power that sustained him as he made the argument which was to be his last, but which was not inferior in force and logic to any of his previous ones. And when he had finished his argument, his life was finished too. Doubtless he would have chosen thus to die if the choice could have been his. While, owing to his advanced age, his death could no longer come unexpected, yet the news of it painfully surprised many who had seen him but recently in the apparent enjoyment of remarkable vigor for one of his years. It was difficult to remember his advanced

age when one saw his rugged physique and his physical activity. He was one of those to whom the term "grand old man" could be truthfully applied. He was grand as a man, as a citizen and as a lawyer. All who knew him will hold him in honored and loving memory.

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*(From the Albany Argus Editorial Column, Saturday, December 15, 1900.)*

### HAMILTON HARRIS.

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The death of any man who is the head of a family is an affliction in which many mourners have to share, but the death of a citizen who has been eminent in the community for more than half a century is a public, as well as a private grief, in which all participate.

Hamilton Harris, who died yesterday, was one of the oldest, most esteemed, most beloved, and most distinguished citizens of Albany. Born in Cortland county in 1820, he came to Albany in his youth; and, after pursuing the course of instruction in the Albany Academy, entered the Union College at Schenectady, from which he was graduated with honors in 1841. Then he studied law thoroughly and was admitted to the bar in 1845. In 1850 he was elected member of assembly from this county, and in 1857 he was elected district attorney of Albany. From 1862 to 1870 he was a member of the Republican State Committee, and during the last six years of that period was its chairman. In 1865, he became president of the board of new capitol commis-

sioners. In 1875 he was elected State Senator, and in 1877 he was re-elected to that office. In 1885, the legislature elected him a Regent of the University of the State of New York, which office he held up to the time of his death. Mr. Harris had been for many years one of the leaders of the Albany Bar, and was leading counsel for the great railroad companies that have offices here. He loved work, continuing in active practice to the last. He was a learned lawyer and a skillful advocate, with the highest ideals of his profession. Sir Walter Scott, who was educated for the bar and practiced some years, declared that "a lawyer without history or literature is a mechanic, a mere working mason; if he possesses some knowledge of these, he may venture to call himself an architect."

Hamilton Harris loved literature scarcely less than law, as his various literary addresses attest, and it is to be hoped that they will now be collected in a volume which will be an enduring monument of that side of his character. He had a large library of law books in his offices, and a large library of well-selected literature in his home, in which he spent so many hours of delightful study. "Of soul sincere, in action faithful, and in honor clear" "he bore without abuse the grand old name of gentleman." He was a great and good man, whom all who ever knew him will remember with admiration and affection. The words at our command at this moment are too feeble to do justice to his memory.

*(From the Brooklyn Eagle Editorial Column, Saturday, December 15, 1900.)*

### HAMILTON HARRIS.

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Hamilton Harris died in his eighty-first year in Albany, on Friday. He was a member of the Board of Regents, a graduate of Union College, and a Doctor of Laws by the action of that institution. He was twice a district attorney of Albany county, and twice representative in the senate of the state. But his main distinction was as a lawyer, and in law as a master of its relations to the interests and rights of railroads. We presume he had no superior in that department of knowledge among men. Not a few think that he had no equal in it at the bar. Though in his eighty-first year, he was more vigorous and industrious than many much younger men. Had he not received a bruise a few days ago, and had not blood poisoning followed, there is no reason to doubt that he might have lived to a hundred, just as Martin I. Townsend, also a Regent and vigorous at ninety-one, seems likely to do.

Hamilton Harris came from a family which has reached distinction in public service, a brother of his, Ira Harris, being a senator of this state at Washington, and other relatives occupying high positions. Hamilton Harris was, however, by far the ablest of the family, though his abilities were identified more with the law than with public office. He was learned, wise, cool, studious, diligent, strong, courageous, effective and resourceful. The Board of Regents found him

valuable in counsel, vigorous in action, judicious in suggestion and constant in his desire to keep the board down to its duties, to relieve the board from fads, foibles, and humbugs, and to commend it to public confidence by the choice of sane, true and practical officers and employees.

We know of no Regent whose work was more valuable, and we trust that the place made vacant by his death will be filled by a man who will follow in his course and strengthen the excellent influences which he so strongly supported and upheld.

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*(From the Albany Press-Knickerbocker-Express Editorial Column, Saturday, December 15, 1900.)*

#### HAMILTON HARRIS.

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In the death of Hon. Hamilton Harris, the city of Albany has lost a splendid citizen.

For over forty years the deceased occupied a prominent place in the public eye. He was a light in the legal world. His thoroughness, his knowledge of the technicalities of his profession, his fairness, his amiability, won him the marked success which was his due.

As a public servant, Mr. Harris achieved a reputation which reached beyond the confines of the state. He was indefatigable in whatever he undertook. Faithful to home and country, upright and just in every business or professional transaction, Hamilton Harris was indeed one of nature's noblemen.

*(From the Troy Times Editorial Column, Saturday, December 15, 1900.)*

Hon. Hamilton Harris, who died in Albany yesterday, was one of the foremost lawyers of the state. He was in Albany what his associate in the Board of Regents of the University of the State, Hon. Martin I. Townsend, is in Troy — a most distinguished illustration of professional energy continued in old age. Until his death Mr. Harris, who was in his eighties, was arguing cases in the courts. His intellect had extraordinary acuteness, and his clients knew that not a point in their favor would be overlooked. His perseverance and successful fidelity to the interests committed to his charge made him the counselor for many years of some of the largest corporations in the state. Mr. Harris had remarkable ability for political life. His sagacity was manifest during long service as member of the Republican State Committee, of the State Assembly, and of the State Senate. He was one of the shrewdest men this part of the state has ever known, but mingled with his mental penetration was kindness, which made even his professional opponents his personal friends.

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MEMORY OF HAMILTON HARRIS HONORED  
BY HIS ASSOCIATES OF THE ALBANY BAR  
ASSOCIATION.

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The members of the Albany County Bar Association paid tribute to the memory of Senator Hamilton Harris

at a meeting held this morning in the Supreme Court room where Hamilton Harris made his last argument in the defense of a suit against the corporation whose interests he so zealously guarded for many years.

The court room was crowded with members of the bar, among whom were many of the leading lawyers of the state. A number of ladies were present.

The meeting was called to order by Charles J. Buchanan, first vice-president of the Bar Association.

In opening the meeting Mr. Buchanan said:

In behalf of our County Bar Association it is my sad duty to call this meeting to order. In doing so I am reminded that Hamilton Harris was the first one to sign our membership roll. Our most distinguished associate has passed away from earth. We are assembled to do honor to his memory. His merits both as a man and as a lawyer are well known to us all. Others than myself will to-day recite to you his sterling, manly qualities, and mention his extraordinary attainments and virtues.

When such a man, so conspicuous as he has been in all the walks of life, is taken from us, it is both fitting and proper that we, his intimates, should congregate, as by time-honored custom, to bemoan his loss, and to speak in no faint language of his example, his character and his professional career. By so doing we shall be just to him, and at the same time hold him up to all who would attain excellence in our profession, as a bright and prominent illustration of what may be accomplished in this world by earnest, well-directed efforts.

He was cast in a heroic mould. Honorable in all that

goes to make up successful manhood; devoted to his friends and to his profession; strong, courageous and resolute in purpose; inflexible in will; bold, decisive and determined in action; accepting defeat gracefully when it fell to his lot; invariably fair and courteous to all; who may correctly assert that, with such talents and characteristics as these, Mr. Harris was not a peer among his associates, and that his death is not a severe blow to every one of us? We should be grateful for such a man.

Permit me to present to you Chief Judge Parker, who has kindly consented to preside upon this occasion.

#### CHIEF JUDGE PARKER.

##### *Gentlemen of the Albany County Bar :*

It was nearly fifteen years ago that I came to hold my first Albany circuit. The Albany County Bar for many years had been famous throughout the state for the strength of many of its lawyers in every department of the law, and it was with no small degree of interest that I discovered that the first case to be tried before me was to have for counsel two of the leading members of the Trial Bar, one of whom, report said, had no superior in a trial before a jury, the Hon. Hamilton Harris. It was a hotly contested trial and I soon found myself watching with growing interest its progress, and earnestly studying the methods of Senator Harris. Twelve years later I came to hold my last circuit in Albany. I had not forgotten the first trial, and before the term ended I discovered that Senator Harris had not forgotten, for when



the last day calendar was made up one of his cases was next to the last and he came to me and said, "I hope something will happen to that last case, Judge. I tried the first case that was tried before you at the Albany circuit, and I would like to try the last." Something did happen to the case, and Mr. Harris tried the last case tried before me here. During all the terms intervening, except one, he tried at least one, and sometimes a number of causes, but on the occasion excepted he did not try any, and I felt a sense of wrong. It seemed as if in some way I had been cheated, because I had not had the benefit of the illumination which in a trial his peculiar genius gave to a case. I need not say to you gentlemen of the Bar, who have met him in competition in the court room or in association, that one of his elements of strength was that he always understood the facts of the case — knew all of the facts that there were on his side that could be proved, and usually what the other side could prove. He understood thoroughly the principles of the law applicable to the particular case that he was trying, and you rarely ever saw him produce more than one book. If he had a decision covering the question or near to it, he brought it with him; otherwise he did not. He had the ability always to put aside all thoughts of himself in a trial. I have known members of the profession, and so have you, who loved to try a case for the galleries and who wanted the lookers-on in the court room to understand that they were trying it well. That never was the case with Senator Harris. He was not interested in the galleries; he tried his case to win. He was willing not only to have his own per-

sonalty lost sight of during the trial, but he was also willing to have the audience feel that perhaps a point had been scored against him by his opponent, if only it would happen a little later that his client would be benefited by it. Let me call your attention to one illustration, which will show better than anything I can say what I have in mind. I remember being present at a trial in which one of the members of the bar now present was opposed to Senator Harris. The plaintiff, a woman, had been injured through the carelessness of a railroad employee. The right of recovery was not doubted, and the only question was one of damages. The attorney for the defendant was not Senator Harris; but the latter was counsel. There were no visible injuries, but the woman said she suffered greatly, and her physician accepted all that she said to be true, and as a result was strongly of the opinion that her spine was affected. Those physicians who did not credit all she said were equally confident that it was not. The attorney for the defendant had prepared himself for a thorough cross-examination and had a large number of medical books. Taking up one of these authorities, he asked the expert whether it was a standard authority, and then by methods familiar to you all he proceeded to read extracts which were favorable to his side of the case, and then questioned the witness as to whether they were true or not. The physician was rather more successful in the controversy than the attorney and the result of an hour's work seemed to have piled the damages quite high, and then there was a little consultation between the attorney and Senator Harris, and the latter

came forward to see if he could not relieve the situation. I need not tell you, who knew him well that he did not come forward as a man who was intending to relieve it. On the contrary, with the most modest possible demeanor, he walked to within a few feet of the doctor and then said:

"Doctor, do you know I have never read any of those medical books. You and the attorney here seem to understand all about them, but, you see, I don't. I have listened carefully, but I have not been able to get hold of it. Now, it strikes me, that perhaps the jury may be in the same situation as I am; perhaps they never have read those books, and I would like to ask you a few questions to see if you cannot help the jury and myself. Now, doctor, what do you say is the matter with her lungs?"

"Nothing the matter with her lungs."

"Not a thing?"

"No, not a thing."

"Perfectly sound, doctor?"

"Yes, sir, perfectly sound."

"Well, you see, I didn't understand; I had an idea that there was something the matter with her lungs. Then, of course, it is her heart?"

"No, she has a perfectly sound heart."

"Oh, a sound heart, too! I see, it is her liver, of course, doctor?"

"No, there is not anything the matter with her liver."

"Well, then, certainly it is her kidneys?"

"No, it is not her kidneys."

"Are they sound?"

"Yes, perfectly sound."

"Let me see, lungs sound, heart sound, kidneys sound, liver sound. Will you be so good as to tell us what is the matter with her, doctor?"

"Her trouble is functional."

"Oh! it is her functions, is it? Doctor, won't you be good enough to locate, for the benefit of the jury and myself, those functions?"

The doctor, with a very great deal of disgust in his tone and a loud voice, turned to me and said, "Judge, have I got to answer such fool questions as that?" The senator sat down quickly with the remark, "Never mind, doctor." The matter was not again referred to until he addressed the jury, whom he managed to persuade that the doctor had not located the functions, with the result that while it was perfectly clear the plaintiff was entitled to something and the jury were so instructed, they found for her in the very small sum of \$250.00.

I might relate many other interesting incidents in the professional career of Senator Harris that have come under my personal observation, but I shall not take your time to do it, contenting myself instead with the statement of an opinion formed long ago, after very careful study of his methods in the court room, that, measured by that most accurate of all tests of human endeavor, success, Senator Harris was the greatest trial lawyer I have ever known. I have had occasion to say elsewhere than in Albany, when talking with friends, that while I knew very many brilliant trial lawyers, lawyers who created a greater sensation in the trial of an

action than Senator Harris, still if I had a case that involved my all, whether honor, or property, or both together, and a jury was to pass upon it, I would rather trust him with its management than any other lawyer whom it has ever been my lot to meet. But he was something more than a great trial lawyer; he was a good citizen, a cultured gentleman, an entertaining companion, a loyal friend, and we shall all miss him.

I wait your further pleasure.

MR. R. W. BRASS.

*Mr. Chairman:*

I move that Mr. Frederick E. Wadhams and Lewis B. Hall be selected to act as secretaries of the meeting.

Carried.

MR. C. J. BUCHANAN.

*Mr. Chairman:*

I move that a committee of six be appointed by the Chair on resolutions.

Carried.

CHIEF JUDGE PARKER.

By direction of Mr. Buchanan who has just made the motion, I depart from the ordinary parliamentary rule of naming the person who makes the motion as chairman, and will appoint as the committee on resolutions, Judge Chester, Judge Gregory, James F. Tracey, Charles J. Buchanan, Marcus T. Hun, and Albert Hessberg.

The tributes paid to the dead lawyer's memory were brilliant and peculiarly fitting in their earnestness. The Hon Simon W. Rosendale, the first speaker, spoke as follows:

*Mr. Chairman:*

"When the grain is ripe in the field, the reaper goeth forth to gather it."

A simile taken from a phenomenon in what we call nature in its dealing with man's effort, has from time immemorial been used to represent that other equally natural but inexorable phenomenon in nature's dealing with man himself.

A sheaf of ripened grain has been gathered. Hamilton Harris, in the eighty-first year of his age, has ceased from his earthly labors, and our wonted admiration of his remarkable mental and physical preservation, is at an end.

It is not difficult to put on record a history of his career; for his life was passed in our midst, and until the very last he was among the robust men who make up our active community. A reference to the events and habits of his life as a lawyer, as a citizen, as a man, is an eulogy upon his career.

For about sixty years he was a resident of Albany, and during about fifty-five of these he actively practiced law here. Such a record is unique, and it is small wonder that few persons had more acquaintances, and no name was better known in our city and county than that of Mr. Harris. He possessed a robust and stalwart figure — his head and face had striking characteristics,

and on the street, in court, or at any gathering of people, his was an impressive form.

Of swarthy complexion his face was massive, indicating great force of character, his eye was full and expressive, while his forehead showed great intellectuality; he seemed ponderous; there was indicated great strength even in repose; and in animation there was a force and an earnestness in most unusual degree, reaching even to the extraordinary. His personal character was reflected in his face and form — self-reliant, vigorous, combative, and yet among the lawyers of his time none were more subtle or plausible. He seemed to possess a robustness of mind and body which appeared to defy the ravages of time, like the sturdy oak resisting the storms and tempests of seasons and years. In a legal battle his plume waved in the thickest of the fray, and no outward indication was given if there were ever faint-heartedness within. No lawyer ever tried a case more faithfully or vigorously.

His earnestness and zeal in his clients' cause, was so great that he was often, apparently at least, oblivious to unfavorable facts or testimony, and his plausibility and sincerity as expressed in his face and voice were most dangerous factors for his adversary.

His continued physical and mental vitality was a source of general remark and admiration among his associates at the Bar, and for a number of years has he stood as the leader amongst us.

He fell like a Roman warrior — as he would have preferred to fall — with his armor on. The Day Calendar of the Trial Term now in session indicates his last

battle, and a half tried case marks the scene of his last combat.

At to-day's roll call of our Bar, response on his behalf may well be made by his associates, in the historical words of the surviving comrades in a celebrated regiment after battle.—“Died on the field of Honor.”

I first remember him during the early sixties as a member of the justly renowned copartnership of Reynolds, Cochrane & Harris—a firm which represented many important interests, and among the most prominent in the state; as I have thought of it since, he was then only about forty years old, but already famous and among the leaders of the Bar. He had earned a reputation in many important litigations, and particularly in a number of noted capital cases which he had successfully conducted; he won the first rank as a vigorous, aggressive, almost irresistible public prosecutor.

Thereafter and continually for nearly forty years actively engaged in practice with but slight intermission he has maintained his position as one of the foremost lawyers in the county and state. Vast interests were committed to his care, and he was in many important legal matters looked upon as the representative of some of our greatest business organizations.

He served the state as senator from this district for two terms; his loyalty and devotion to our city was demonstrated by his earnest interests in advocating the new capitol, and for ten years served as the president of the Board of Capitol Commissioners.

His knowledge of men and their ways served him in



his political affairs; he was a thorough and warm — and, as he was in everything — a vigorous partisan. For many years he stood high in the councils of his party and was active in its management. He was at the time of his death a Regent of the University, and although he joined the Board of Directors of the Commercial Bank of this city, when he was approaching seventy years of age, his great familiarity with the city and its people, no less than his unabated intellectual powers made him one of the most valued members of that body. It was, I believe, the only place of financial trust which he assumed.

Thus closed a career, examined in the light of ordinary human affairs, of unusual character and ability, of usefulness to his family, his friends, his neighbors, his city, state and county; covering a long period of success and in full vigor of mind and body to the last; not lingering, but erect and fully possessed of all his faculties, ripened by great experience, living half a score of years beyond the psalmist's allotted days, full of years and honors, he has left a vacant place which we sadly contemplate to-day.

He was followed by

JUDGE ALDEN CHESTER.

*Mr. Chairman:*

The Committee on Resolutions recommend the adoption of the following:

The Bar of Albany County has learned with deep regret and profound sorrow of the death of its oldest member. After practicing his profession here for

upwards of half a century, with an industry and a success rarely equalled, Hamilton Harris is at rest.

It is fitting that his professional brethren, who without exception were his friends and admirers, should make this minute, feebly expressive though it be, of their appreciation of his worth and of the great loss which has been sustained in his death.

The character of his intellectual endowments was diversified. He was profoundly learned, not only in the law, but in literature. In the councils of his party he was for many years the wise and trusted leader in the state. He dignified the various positions of public trust held by him and brought them all to places of commanding influence during his incumbency, by his strong personalty. His services to the county and the state have been marked by the fidelity and ability that have characterized all his relations in life. But he will be best known and longest remembered as one of the leaders of our Bar during a period in which he had as contemporaries many lawyers distinguished by great abilities and high attainments. He never went into the trial or argument of a cause without careful preparation. He made himself familiar with all the facts and mastered all the law applicable to them. In presenting causes to juries he was persuasive, magnetic and forceful. In the argument of cases on appeal he was thorough, logical and convincing. His excellent judgment, sound sense and extraordinary skill in conducting the important litigations entrusted to his charge brought him and his clients a large measure of success. He commanded the respect and admiration of all tribunals before whom he

appeared for his great abilities as a lawyer and his character as a man. In his relations with his professional brethren he was always a courteous opponent, a genial associate and, withal, a valued friend.

While we mourn his loss and give our condolence to those bound to him by the affectionate ties of kinship, we have the proud but melancholy satisfaction that his career as lawyer and man, in public and private life, has furnished an example worthy of the emulation of all.

ALDEN CHESTER,  
CLIFFORD D. GREGORY,  
JAMES F. TRACEY,  
CHARLES J. BUCHANAN,  
MARCUS T. HUN,  
ALBERT HESSBERG,

*Committee.*

MR. BULKELEY.

*Mr. Chairman:*

I move the adoption of the resolutions.

MR. J. FENIMORE COOPER.

*Mr. President:*

I move the appointment of a committee of three to present these resolutions to the Trial Term of the Supreme Court and the County Court.

CHIEF JUDGE PARKER.

Is there anything further to be said on the other motion.

## WILLIAM L. LEARNED.

*Mr. Chairman:*

I rise to second this motion, and allow me to say:

A few weeks ago, when I was asked to sign a paper for the organization of an Albany Bar Association, I saw, prominent among the signatures, the familiar name of Hamilton Harris, in his bold, well-known handwriting. And I thought that he and I were among the oldest of our profession in this city. I little thought then that I should never see him, never meet him more. And little did the court and his brethren of the Bar anticipate, when, a few days ago, he commenced in this room the defense of an important case, that before the trial should be finished, he would be summoned to another world — to that world where all the strifes and contests of this life have passed into eternal silence. Death often interrupts many plans, many hopes, and many actions. But it comes with a force more than usually startling, when it cuts off suddenly some half-finished work of importance which would have needed but a day or two for its completion. Then we feel that truly death does not wait for our convenience, however pressing.

Yet our friend had rounded out the full term of ordinary life. He had reached the four-score years of the psalmist; and that, too, without their "labor and sorrow." Time had dealt gently with him. His broad and strong frame moved with much of its early strength through our streets. His step was firm, his eye bright, his voice strong. He met his friends with the same pleasant greeting as of old, turning slightly towards

them, as was his wont, when he passed. His mind retained its power and everything seemed to promise many more years of steady usefulness and a quiet enjoyment. This promise has failed. The strong man is laid low. The eye is closed forever. And we have met now to say a few words for our deceased friend, to recall his virtues and to pay the farewell tribute to his memory.

His life covered many changes in the law, and many systems of the judiciary. He began his profession before the first Code was adopted. How many have since come into existence I must leave to younger men to say. The Revised Statutes were then in force. I think some fragments of them remain.

The Supreme Court then consisted of three judges, while eight other judges held circuits, and the senate was the main part of the highest Appellate Court. It was probably no disadvantage to him that he received his legal training under the more strict and formal courses of the earlier time.

I knew Mr. Harris soon after I came to Albany — now some fifty-five years ago. Shortly after that time the Delavan House was completed and opened. Several young men, including myself, boarded there, and to that house he frequently came, drawn thither by an attraction which afterwards, for many years, filled his house with music and his life with happiness. Nor ceased till, two years ago, the sweet voice was silent in death.

When I first knew him he was, if I remember, the partner of his brother, who afterwards became a justice

of the Supreme Court. Subsequently he had as partners at different times Samuel G. Courtney and Hooper C. Van Vorst. The latter distinguished on the bench in New York city for his sound equity learning. Still later Mr. Harris was in a partnership with John H. Reynolds and Clark B. Cochrane, making a firm of unusual strength and ability. To many of you these names may be mere shadows, so soon does professional fame die into forgetfulness. To me they are still fresh in recollection. But I will not speak about them. At his death his son and Mr. Rudd, as you all know, were his partners.

He was for a few years district attorney and conducted successfully several important prosecutions. He was at one time senator, and he was one of the first Board of Commissioners for the new capitol. In that work he took a great interest, and so long as he was in the Board he devoted much time to it. For many years before his death he had been one of the Regents of the University.

From the first to the last of his professional career Mr. Harris was a most able lawyer. He was pre-eminently a man of common sense; perhaps the highest quality in any profession, certainly in the law. He was never mastered by cases. He was their master. He was wise as a counselor; admirable as an advocate; successful with juries; powerful with courts. He had, too, as I think, the very useful and somewhat rare skill of appreciating what evidence was important and what was unimportant. With that, too, he possessed that confidence which saved him from wasting time and strength in needless cross-examination on trifling matters. Thus he kept the thoughts of the jury on the material points.

As in many of his cases he had the disadvantage of appearing for corporations, the success which he achieved is the more to be admired.

During all, or nearly all, of his life in Albany, his residence was in the house on Broadway where he died. Some years ago he enlarged it by taking in the adjoining house and thus, I think, fitting a part for musical use. As that neighborhood was becoming a place for business I occasionally urged him to remove and to come up on the hill. But he always spoke of his garden and his fruit trees, and said he would not leave them. Probably, too, there were many dear recollections connected with his most comfortable house from which he would not willingly separate, and so he remained there till life ended.

In a novel once popular, now somewhat out of date, there is a description of an advocate supposed to acquit Sir James Scarlett. It seems to me to give some of the characteristics of our deceased friend. I quote: "To the gaining of the verdict he directed all his energies and sacrificed every other consideration. As for display he despised it. A speech, as such, was his aversion. He entered into a friendly but exquisitely crafty conversation with the jury. \* \* \* They felt as if they were all the while reasoning with and being convinced by him."

Mr. Harris did not confine his studies and his acquirements exclusively to the law. He had too broad and too liberal a mind not to seek refreshment and culture in the wide fields of English prose and poetry. His extensive private library bore witness to his literary

taste. As a sound lawyer, a good citizen, a worthy man, a valuable friend, we shall miss him. Few men of his generation remain with us, and soon there will be none. We could have wished that he might be spared to us and to the city longer. But we bow in submission and with humility, to the will of our Heavenly Father.

There is an old and quite familiar story to the effect that in early days, while a Connecticut legislature was in session, there came a dark day, — not darkened by cloud or eclipse, but by some strange and unknown cause. Faces grew pale; exclamations arose that the Day of Judgment was at hand, and that the legislature should adjourn. But an earnest man stood up and called for action on some commonplace bill then pending. "For," said he, "if this be the Day of Judgment I wish to be found doing my duty."

So, as that fearless old Puritan would have wished, when the twilight hours darkened one day last week in this court room and the day of death began to draw near to Hamilton Harris, it found him doing his duty.

MR. LEWIS E. CARR.

*Mr. Chairman and Brethren of the Albany County Bar:*

The occasion of our assembling to pay our tribute of respect to the memory of Hamilton Harris is one that is to me, and I doubt not, to all of you, of inexpressible sorrow. We are conscious of a great loss, of a misfortune that has come upon us with appalling suddenness, yet its full extent we cannot measure or even estimate. We are but dimly conscious of the death of



the man whom we would to-day honor. Less than a week ago we met him in this very room, met him as he came here in the discharge of his professional duty; met him bearing his eighty years of life as lightly as those not half eighty; met him coming here to be as faithful to the cause of his client as he had been for fifty years and more in the practice of his profession. We know that the trial had not come to a conclusion; we know that it was by human hands suspended, but by the Great Ruler above, that trial, so far as he was concerned, has been eternally closed. Under such circumstances we are not yet prepared to comprehend or understand how great the loss is and how wide a place has been made by the falling of one of the most conspicuous figures of the Bar of this county. He belonged to a generation that had almost disappeared; he came down from those men who were about the beginning of our present system of the law. He was admitted to the Bar before the constitution of 1846. He had personal recollections of all the changes that were wrought, all the blending of law and equity, and making the same court administer both methods of relief, and those of us who have looked into the matter, those of us who have been engaged in the practice of our profession, fully comprehend that from that time has come the wide development and the broad extension of our law to its present system. The blending of law and equity gave us that elasticity which was needed so that the courts now come to deal with each individual case as it is presented, to fit the principles of the law and equity to meet the facts that are presented. And as we look back

over that time we see the men on the bench and at the Bar illuminating the history of the law. They are the men to whom we refer now and wonder will any ever come to take their places upon the Bench or at the Bar. He came to us and was with us with his personal recollections of those men, and it was a most valuable treasure house for him. Few such men remain, and when they disappear, then indeed may their brethren at the Bar feel that they have been bereft, that a great loss has come upon them, something that cannot be replaced. It is true, when the giant tree falls in the forest, as time goes on there will be that effort of nature to fill the gap by stretching out of the branches on either end, but the lofty top and trunk is never replaced by that process, It never can be replaced here, and as time goes on and we become accustomed to the loss we have endured, we still will go back in our recollections of him, to our recollections of his faithful service, to our recollections of his kindly manner, to the charm of his presence, of the magnetism of his speech, and we will wonder if any ever will come to fill his place. The lawyer's life is a hard one. He leaves little behind him. You may find in the dusty records some trace of what he did. You may learn how often he was employed and what success attended his efforts, but that is all. The barest skeleton of the human life and what the man did. We who knew him, we who were conscious of the charm of his manner, of the magnetism of his speech, of the man himself, with all his dignity and all his powers, can fill up the skeleton with our treasured memory. Those who come after us and have not that close personal recollection, will be

unable to make up the figure and determine what he was. So it is fitting that under such circumstances and at such a time we turn aside from the busy life, that we stop for a moment in our progress and pay tributes of respect to his memory. That is what we do to-day. Words are but little. All that we can do is express our thoughts, our feelings, and our memories of him. My personal recollections of Hamilton Harris were of but recent date. I knew him as a man who was a leader among men, as a distinguished member of the profession, as one who had shown his capacity wherever he might be, but only by reputation. Not until I became a resident of the county and a member of this Bar did I come in personal contact with him. It so happened that there were many things that he and I had in common, and I am satisfied from the associations between us that he welcomed such aid as I was able to bring, and I know that I always felt safe and sure when he was with me. And so as the years of our associations went on the bonds of friendship grew stronger and stronger. Now that I am conscious of his loss there is nothing but grief in my heart and grief in the words that are spoken. I come to pay this tribute of respect to him and give my treasured memory of the man, and while there were times when he was not so active in his profession, while he was demonstrating his unrivalled power to lead and master men in the management of affairs, I fancy after all the choicest treasures of his mind and of his memory were those that related to the practice of his profession, where he was engaged in the protection of the interests of his client and demonstrating that he was indeed one

of the leaders of the bar. He went suddenly; went in the very tournament where the knights are gathered; went while he was engaged in the battle; went at the time and under the circumstances that a lawyer would like to go, not only with the armor on, but while he was actually engaged in the fight. We had looked forward to years of his life, hoping that he might be with us for a score of years more, relying on his strong physical appearance and observing that there was not yet the slightest dimming of his mental powers. But he has gone, and now we pay these tributes of respect. We lay these words of ours upon his coffin, and we say to our dead brother our long and our last farewell.

THOMAS J. VAN ALSTYNE.

*Mr. Chairman:*

That which you said on taking the chair which you now occupy, perfectly epitomises the character, the capacity, and the methods of our deceased brother. In itself it was a most comprehensive and unique memorial of the man from first to last. Were it not for a single fact I would not presume on this occasion to say a word, but I am one of the three still surviving who were associated with Mr. Hamilton Harris in his office more than fifty years ago. I, therefore, will present, with the permission of the Bar Association, this paper.

More than fifty-two years have rounded into the past since I made the acquaintance of the then young lawyer, Hamilton Harris. Our coming together, while not without a purpose, was most informal and commonplace.

I liked the man at sight. I do not think he disliked me. I became a clerk in his office without reference on my part or inquiry on his part. From that time to the day of his death we have been residents of the same city. The confidence manifested at our first meeting — the friendship that grew out of it — has continued all these years without break or ripple.

I therefore conscientiously come, with a melancholy satisfaction, to record my appreciation and esteem for our deceased brother.

Mr. Harris was in more respects than one far superior to the average man. In physical form and facial appearance he was pre-eminently distinguished. In capacity of mental ability he was the peer of the chiefest of the old-time giants of our Bar. He quickly acquired renown. This was necessitated by opportunity put in his way by an established business and the innate genius within him.

Mr. Harris was a born lawyer. He needed only to apply that common sense so thoroughly implanted in him to apply fittingly the law of the land to the case in hand.

Mr. Harris was fortunate in his genealogy. He sprang from a family of stalwarts. Two of his close relations have represented New York in the Senate of the United States. One, his brother, by eighteen years his senior, was to the boy a guardian and guide, to the man an emulation and a beacon. The elder seemed in their daily intercourse to look upon the younger with parental benignity and satisfaction — the younger looked up to the older with reverential esteem and pride. This fellowship, not demonstrative, was close, quiet, sincere and mutual.

Ira Harris probably became a lawyer because he loved the science. He studied his books with untiring diligence when opportunity offered. Hamilton became a lawyer because he regarded it a suitable profession. His love for the "Black Letter" was purely Platonic. He mastered every case he had in charge — he grasped its trend and scope and fortified himself with authorities to sustain his position, chosen or enforced. In his work as a lawyer he was facile, plausible and especially adroit. His words were gentle; his manner confiding; his deportment affable and polite. I do not think that unconnected with business in hand Mr. Harris ever disturbed law books for pastime or recreation. And yet he was a constant and diligent student. He studied literature; he studied men; of both he became proficient.

Mr. Harris never did an act without a well-defined purpose. In such purpose, whatever it may have been, he was inflexible and persistent, never yielding short of achievement.

It was these characteristics which placed him in constant demand and rendered him supremely useful in great emergencies and when great interests were involved.

In such connection his limited attachment for the law was a relief and a profit to him. When activities were called for in other fields of industry, he did not hesitate to turn his *agenda* and briefs into the hands of his partners and give his undivided attention to his new duties. He gave one year to the state assembly, four to the senate, and three as district attorney of the county, as chosen representative of his fellow-citizens.

I think on every occasion when he was a candidate for an elective office — often when the adverse party was dominant — he was decisively elected, save once. He was nominated for representative in Congress in 1874. On that occasion the tally sheets were against him.

His honorable and enviable record in the service of the state and county can be read by all — his more trying labors in behalf of individuals and corporations, and his achievements in connection therewith revealed the single fact that his usefulness was never felt to wane nor his clientage diminish.

It is evident the personal popularity and general character of Mr. Harris were such as to assure his acceptability and election to any office to which he might aspire in the power of his party to bestow.

What may seem to be a contradictory characteristic in Mr. Harris, and quite as prominent as those before mentioned, is, he was decidedly domestic in his tastes and habits. His "Inhabitedness" was large. If I mistake not he now lies prone in the dwelling where he commenced housekeeping more than forty-five years ago.

He was in no sense a nomad. He was not a patron of fashionable restaurants, of hotel saloons, nor even of exceptionable and well-conducted clubs. To him his home was a haven of rest. There, with his family and friends, he found chief delight and enjoyment.

There, too, was his private miscellaneous library, large in the number of its books. Books covering in range the classics, ancient and modern history, science,

art, biography, philosophy — every field of human knowledge. In this he reveled with the zest of unloyed appetite. Here he found companionship most congenial. Here he acquired that knowledge that rendered converse with him a pleasure and an education.

And yet no one ever heard Mr. Harris flaunt his possessions in any form. Whilst he could by right have ranged the mountain ridge, his walk was ever in the vale. Whilst he could have commanded a coach with outriders, his chosen route for exercise and relaxation was the sidewalk. Mr. Harris was an extremely modest man.

In his domestic relations he was all that could be desired. He was a provident, loving husband; a patient, caretaking father. The arrow that pierced his heart was the death of his daughter and wife in order named. The wounds never healed, but bled to his death.

It will be well for his survivors of the Bar to study the character of our dead — imitate his virtues, avoid his foibles and prepare for that inevitable which may come to us with as slight warning as it did to him.

His body will soon be laid by the side of wife and daughter, whom he loved so dearly, and his brother, too whose memory he revered.

In the age ten years beyond the limit allotted to man, wisely, like a knight ready for the fray, he fell with armor on — with visor up. It is well so to fall. May he rest in peace.



EDWIN COUNTRYMAN.

*Mr. Chairman:*

It is peculiarly proper that the members of our profession should meet together and attest our regard for the career and character of Hamilton Harris. He was the Nestor of our Bar, and although he had reached the full term of four-score years, he was still engaged in the active practice of his profession. It was my sad fortune to be pitted against him on the very day that he received the fatal summons of preparation for his final departure. He had been engaged in the trial of an important cause during the entire day, and while I observed that he was not quite as aggressive and vigorous as usual, I saw no diminution of interest or attention or intimation of want of preparation or mastery of the details of the case he had in hand. He occupied the last half hour of the session in developing his reasons in support of his objection to the right of action, and in analyzing the evidence and elaborating the legal propositions involved with his usual care and ability, and left the court at the recess apparently prepared to resume his place in the trial on the following morning; and I had not the slightest suspicion that he would be unable to do so. Of course I was startled to learn in the morning, as I was about to sit down to breakfast, that he had been ill during the night and would be unable to proceed with the trial. And two days afterward he was dead.

As I mused upon the sudden demise of this stalwart man, I recalled involuntarily the names of the numerous leaders of our Bar, who had paid the debt to nature since I came to Albany a quarter of a century ago:

Lyman Tremain, Henry Smith, Samuel Hand, Nathan P. Hinman, Amasa J. Parker, Nathaniel C. Moak, George L. Stedman, Matthew Hale, and last but not least, Hamilton Harris. Three of them at least were brilliant advocates, four of them were astute if not profound lawyers, and all of them were able men, and successful practitioners. Another eminent lawyer who passed his prime as a member of this Bar, although he had removed to the metropolis and become famous throughout the land as an eloquent advocate, also died during this period. You will all recognize at once the name of John K. Porter. And it may not be inappropriate to add that Rufus W. Peckham, Sr., and John H. Reynolds, one of them a distinguished judge and the other a great lawyer, had closed their covers only the year before. Is there another city in the land of one hundred thousand inhabitants which can boast of such a galaxy of remarkable men, who had attained the front rank in the profession, and passed away in the same period of time?

Mr. Harris had been admitted to the Bar as early, if not earlier than any of those I have named, except perhaps Judges Peckham and Parker, and he remained in practice several years after all of them, and from ten to twenty years after most of them had been gathered to their fathers. He had "locked horns" in many a professional encounter with all of them, and it is not indiscriminate praise to add that he was not unequal to any of them in intellectual resources, legal acumen and professional strategy. He was an excellent judge of human nature. Indeed he was a born manager of men; and I

have often thought that his real forte was executive rather than professional ability. He seems to have thought so himself, as he practically abstained from the practice of the law for many years during his prime and gave his principal attention to politics, legislation and the erection of the new capitol. Perhaps no better illustration can be given of his administrative capacity than the part he took nearly forty years ago in the election of his brother, who had just retired from the Supreme Bench of this state, to the United States senate. Mr. Lincoln had been elected president of the United States, having received the nomination despite the efforts of the politicians, and particularly of the political friends in this state of William H. Seward, led by Thurlow Weed; and Mr. Seward had been invited to a seat in Lincoln's cabinet. There were several aspirants to the succession of Mr. Seward's seat in the senate. Horace Greeley was the candidate of the yeomen from the rural districts, William M. Evarts was the nominee of Mr. Weed and the politicians, and Ira Harris was supported by a few of his personal friends from this immediate vicinity. Hamilton Harris was the representative of his brother in the legislative contest, with only votes enough to hold the balance of power between the principal candidates. The prospect was poor indeed that he would be able to accomplish any tangible results, but by the prudent husbandry of his resources, shrewd manipulation of the contending forces, unostentatious and alert management by which he conciliated the opposing interests and availed himself of every opportunity to increase the number of his sup-

porters, he finally out-managed and out-manœuvred the prince of political managers and manœuvrers of his day, in his own partisan organization, and effected the election of the weakest candidate in the list. This was regarded at the time as one of the most brilliant feats of political management in the legislative history of the state. George Dawson, who was the partner and successor of Mr. Weed, as editor of the Evening Journal, was so impressed with the energy and ability displayed by Mr. Harris on this occasion, that he ever afterwards sought his advice and approval before he could be induced to adopt or pursue any new departure in political advocacy or diplomacy or public policy.

Mr. Harris was an adept in the art of conciliating and capturing a jury. From the moment he entered the court room until the case was closed and the jury retired for deliberation, every word he uttered and every act he performed was carefully weighed with reference to its possible influence or effect upon the jury or some particular member of the panel. He rarely, if ever lost a case that he ought to have won; and if his opponent was not exceedingly diligent and discreet, as well as competent, it frequently happened, unless the court intervened, that he won the case he ought to have lost. Although he was not a facile or fluent speaker and made no pretension to oratory, he never failed to arrest and hold the attention of his auditors, and to impress them with his power. But he was above all a practical man, and never hesitated to deviate from the regular routine or prescribed course to accomplish the end he had in view. He found when he resumed active practice twenty years

ago that the railroad companies were habitually refusing to recognize all claims founded on their own negligence, and were defending, through all the courts, all the actions brought against them on such claims in pursuance of a policy of making the recoveries in favor of the claimants as expensive as possible. The result of this policy was that very large verdicts were obtained and upheld by the courts. Mr. Harris, when he came to represent these companies, readily grasped the situation and soon satisfied his clients that such a policy was as impolitic and ruinous to the companies as it was unjust to the claimants; and he accordingly instituted the practice of entering into a negotiation for the settlement of any claim before embarking in a long and expensive litigation. The practical result has been that fully two-thirds, if not three-fourths, of the claims have been adjusted, and a great saving effected for the companies.

Many other illustrations might be given of his good sense, sound judgment, and practical manner of dealing with the public and private affairs confided to his charge. Suffice it to say that he was a most efficient and masterful man, and performed his duties to his clients and employers with an eye single to their interests. He was a man of broad and liberal mind. He was not unconscious of his own strength, and while he did not thrust himself forward, he never hesitated to defend his position against all assailants. In later years he avoided appearing in public as much as possible and sought the retirement of his home, and the quiet enjoyment of his library. Who will say that in this delightful retreat he did not experience more real pleasure and solid comfort

than all the bustle of social festivities or public amusements could have afforded him. Where could he have found than among his books a more appropriate place of preparation for his final departure?

MARTIN D. CONWAY.

*Mr. Chairman:*

More than thirty years ago I entered as a student the office of Reynolds, Cochrane & Harris in this city, then one of the leading law firms in this state. The firm consisted of John H. Reynolds, a brilliant lawyer and one of the foremost counsel in the Court of Appeals, Clark B. Cochrane, an accomplished lawyer and distinguished advocate, and Hamilton Harris, our dead friend. At that time it was conceded that Mr. Harris was one of the ablest trial lawyers at the Bar. The firm existed until the death of Mr. Cochrane in 1867, and after his death the surviving members of the firm continued in partnership until the death of Mr. Reynolds in 1875. In the eleven years I was in the office I was in almost daily contact with Mr. Harris and the more I saw of him the more I liked him. As a lawyer his mind was logical and comprehensive. His preparation of a case was thorough; nothing was left to chance. When he entered on the trial of a case he was thoroughly prepared on the law and the facts, and was never taken unawares. His cross-examination of witnesses was masterly. He possessed that rare faculty in cross-examination of knowing when to stop. His conduct of the trial of a case was marked by earnestness and courtesy. He never exhibited bad temper or lost

his self-control. His addresses to juries were clear, powerful and impressive. By his earnestness he impressed a jury that he was sincere and believed in the justice of his cause. He was bold, self-reliant and independent, but never offensive. But it is not as a lawyer that I wish to speak of him. His qualities as a lawyer have been spoken of by those who are better qualified to speak of them than I am. It is of the man as I saw him I wish to speak. During all the time I was associated with him I never saw him excited or angry, never heard him utter a profane word, make a coarse or vulgar remark or speak harshly or disparagingly of any person, living or dead. As he often remarked to me, if you cannot speak well of a person remain silent. He was noble, generous and true by nature. He could not without effort be otherwise. To know him was to love him. I admired and respected him in life, and now that he is dead his memory will be ever dear to me. My dear old friend and preceptor, gentle, kind, and generous master, accomplished lawyer and manly man, farewell!

“Tread lightly on his ashes, ye men of genius, for he was your kinsman! Weed clean his grave, ye men of goodness, for he was your brother.”

WILLIAM C. MCHARG.

*Mr. Chairman and Members of the Albany County Bar:*

In compliance with the obligations of an appropriate custom of this Bar, we have convened here to-day to pay a tribute of respect to the memory of one of the members of this body — the oldest practitioner at this Bar.

The Judge of all the earth has summoned our honored brother Hamilton Harris to cease from his earthly labors, and to appear before that august tribunal before which all men, kings and commoners, lawyers and laymen, must stand, to await that judgment from which there is no appeal.

It is eminently fitting that the living should do honor and respect to the worthy dead, who in their day and generation have faithfully discharged their duties, leaving behind them a record of active, useful and honorable lives.

I knew Hamilton Harris as a student at Union college and have known him ever since. Though a year younger than I, he was admitted to the Bar in 1845, while I was not admitted until 1846.

As we have both resided in this city since our admission to the Bar, and labored in the same calling for more than a half century, I have had many opportunities to observe, study and appreciate his many admirable traits of character as a man, as a citizen, as a public officer, and as a lawyer.

The Bar of Albany during all these years has been an able one. It is questionable whether the records of any other county in the state can show more or better illustrations of legal learning or forensic ability than can those of this ancient city. I am tempted in the interest of the younger members of the Bar here present "Homer-like" to call the roll of some of the distinguished men with whom Mr. Harris since he commenced his professional career has been brought into contact and contention. On this roll will be found the names of Marcus T.



Reynolds, Samuel Stevens, Julius Rhoades, Ira Harris, Amasa J. Parker, Nicholas Hill, Samuel H. Hammond, Henry G. Wheaton, Rufus W. Peckham, Peter Cagger, John K. Porter, Samuel Hand, Lyman Tremain, John H. Reynolds, Henry Smith, Nathaniel C. Moak, Matthew Hale, and Rufus W. Peckham, Jr. All these have died in the natural order of events since Mr Harris commenced his professional career except Rufus W. Peckham, Jr., who having been translated to a seat on the bench of the Supreme Court of the United States, has ceased to be a member of this Bar.

*Vires fortes* Agamemnon. There were brave men before Agamemnon, and great lawyers also before the days of Mark Reynolds and Sam Stephens. As a boy I witnessed a forensic contest between two of these great lawyers whose careers closed before those of the men I have above named commenced to wane. It was a litigation in which my father was a party. The contest was between James McKown, who may yet be remembered by some now present as the Recorder of the City of Albany, and as such presiding with dignity over what was once called the Mayor's Court of the City of Albany. His opponent was John Van Ness Yates, another legal luminary well known for his long and bitter contest with the courts of the state, the record of which appears in the early law reports of the state.

The men whom I have named were all able men, learned in the law as the books say, but each possessed some individual talent, trait or idiosyncrasy which distinguished him from his fellows.

Which of these was the greatest lawyer or the most accomplished advocate will never be determined, nor need it be. But in my judgment Hamilton Harris should be classed in the rank of those of the highest grade. I learned, as did others, to appreciate his ability when he entered upon the duties of the office of district attorney of this county. I esteemed him then as one of the best jury lawyers at the Bar, and I still remain of that opinion. With a splendid physical form, a sonorous but musical voice, and an earnest manner, he impressed his hearers with a conviction that his statements were to be accepted as the veriest truths of the matter in controversy, leading irresistibly to the conclusion he wanted to have formulated in verdict. If I were to name the chief characteristic of his success I would call it force. In the course of his professional career he has been engaged in many important cases, demanding for their management great learning, sound logic, tact and eloquence, and these have always been at his command when the emergency called for them. During his career of more than half a century at the Bar he has crossed swords with many, perhaps most, of the able men whom I have above mentioned, and I doubt not that most of those with whom he thus came into contact must have experienced

"The stern joy that warriors feel  
In meeting foemen worthy of their steel."

At all times master of himself and of his powers and passions he accepted victory without exultation and endured defeat without despondency. Wise and per-

suasive as Ulysses, brave and forceful as Ajax, as experience developed his power, and age widened his range of knowledge and experience, he well earned the name of the Nestor of the Albany Bar. Not only in his chosen profession was he honored and admired but in public life as a legislator. As a politician and as a business man he maintained a high rank, and achieved success in every department of public duty into which he was called. He was a distinguished man as a lawyer, as a citizen, and as a man. His life was a long and a busy one. He outlived the psalmist's limit of life, and even at four-score years his eye was not dimmed, nor his natural force abated. His death is a loss to this Bar, to the city in which he lived, to the large circle of friends who loved him, and to the family of which he was the honored and beloved head.

GEORGE LAWYER.

*Mr. Chairman:*

As one of the junior members of the Bar, and because of a friendship existing for ten years past, I wish to add a word in memory of Senator Harris. No life is viewed by all of us in exactly the same light. When we stand before some masterpiece of art, in some particular and different way the beauty and merits of the workmanship appeal to each of us. And thus the long and useful life now ended seems to me to emphasize most surely the elements of the successful man. While of great force of mind, strength of character, rich attainments, and high honors, yet I know there existed in Senator Harris an extreme kindness and courtesy and deference to

younger members of the bar. He did not relegate to himself all of the knowledge which might be brought to bear on a controversy nor assume that his own judgment could not be guided by the opinions of others.

The young man who sought his advice did not leave his presence crushed with the sense of his own inferiority, though he may have been in error, but felt encouraged on to greater endeavor.

In a man of three score years and ten, who has attained high place and achieved well merited success, this is a distinctive badge of greatness.

While a great advocate, still I should attribute his professional success more to his philosophy and dialectics, in the latter of which at least he was a consummate master. But beyond his political and professional preferences there was the broadened vision of a cultured mind, not circumscribed by narrow vocation or surroundings. Joseph Addison has said that the definition of the word "pedant" is not broad enough. It should be made to include one whose intellectual horizon is bounded by his own life's little work.

Such was not our departed friend. A man of liberal culture, a lover of books and the fine arts, his was the well-rounded life of infinite charm, which found expression in many a generous and noble act in the city and state.

His learning, too, was deep and broad. He was as familiar with Grotius and the Roman law as with a late decision of our own courts.

And finally how grand and inspiring is the end of this man's life! At a time when most men, even though

with faculties of body and mind unimpaired, seek seclusion and rest, he was still among us, the active, diligent and arduous worker. At eighty years and full of honors, death finds him still at his post.

His active life is ended where it began, as a faithful servant in the Temple of Justice. He is indeed the rare exception which shows

"How far the gulf stream of our youth may flow  
Into the arctic regions of our lives,  
Where little else than life itself survives."

ALBERT C. TENNANT.

*Mr. Chairman and Gentlemen of the Albany Bar:*

Every one who is so fortunate as to have known Hamilton Harris will at once fully indorse all that has been so fittingly and eloquently said with reference to his life and character, which surely portray an exalted standard of private and professional accomplishments.

Eulogium is neither fulsome nor unmerited that says of him: "A great and good man has passed away."

His taking off in the midst of the trial of his last cause in court, coming as it did so suddenly as to almost give it dramatic effect, has left a vacancy in this Bar and in this community that cannot well be filled.

He constituted almost the only link now remaining which connected the lawyer of this generation with those of the old school with whom he so prominently belonged. So far as I know, he and Brother McHarg were the only ones who connected the present Bar of Albany with that brilliant and illustrious galaxy of

legal giants who were among its earlier members: Samuel Stevens, Nicholas Hill, Van Buren, Reynolds, Wheaton, Peckham, Porter, Tremain, Smith, Hand, Parker, Hale, and many others now dead, who gave it so much lustre and made it distinguished throughout the state and country.

Nature had showered upon him her choicest gifts. He was blessed with "A sound mind in a sound body." His stock of practical common sense was large and his judgment was unerring. He was cool, level-headed and resourceful. He was the very embodiment of affability and kindness. He was honest, earnest and sincere in everything he did.

He was a profound and skillful lawyer and a safe counselor. His talents, improved and embellished as they were by a liberal education and much reading, were many and very great, and they covered a wide range, which won for him phenomenal success and renown in the profession of the law, and in the fields of politics and of literature. The universal sorrow manifested by his demise in this city, where he has so long resided, furnishes unmistakable evidence of his personal worth, and the splendid achievements of his long and active life attest his peerless qualifications and superior attainments.

His was that exalted private and professional character, and his was that busy and noble life which furnish a paragon for those who have survived him and to those who are to follow after him and us.

PETER A. DELANEY.

*Mr. Chairman:*

The eloquent and generous tributes which have been offered here to the memory of the departed leave but little to be said. For some years after my admission to the Bar I knew Senator Harris as a leader of the Bar, a man to whom it was a delight to listen during his conduct of a case. But during the past few weeks it happened that I was brought into somewhat closer relations with him and saw something of the inner man. It happened that the last case which he tried and completed was one in which I happened to be engaged on the other side, and I had occasion at the termination of that case to visit him in his office in reference to some matters which arose subsequent to the ending of the case. I found him a man generous in praise and wise in his counsel and suggestions. I remember distinctly how he talked of his fellow brothers at the Bar, some of whom are still living, while others have passed to their eternal reward. I remember, in particular, his words in reference to his adversary in the last trial in which he was engaged. He anticipated that the case would be brought to trial at the present term of the court, and he was aware of the importance of his case, as he was aware of the importance of all cases in which he was engaged, either as attorney or as counsel. I remember particularly the kindness with which he spoke of his adversary, and it seemed to me the highest tribute to a man of his moral excellence and his kindly feeling that he could speak in such eloquent and kindly terms of a man with whom he had come in contact as an adversary

in this and other courts on numerous occasions. The best tribute to his ability as a lawyer is found in the records of the state, but the best tribute to his memory as a man is found in the universal sentiment expressed here this morning. He has at your hands, as a jury, received as a last verdict, "Well done, thou good and faithful servant."

SAMUEL T. HULL.

*Mr. Chairman:*

I, too, desire to place a single forget-me-not among the fragrant lilies of remembrance which have been to-day in such profusion strewn upon the bier of our dead brother. This solemn occasion, so full of sad and mournful interest, is an impressive reminder to all of us that a bright and lustrous star has forever disappeared from the legal firmament.

One wise in counsel, learned in the law, ever kindly and courteous, a cultured gentleman of the olden school, an ornament to his profession and ours, honest and honorable as a lawyer, as a citizen and as a man, loving and beloved, has gone gently and peacefully down the declivity of life to the boundary river, and there passed over into immortality and entered into rest full of honors as of years; and it is eminently fitting that we, members of the same profession which he adorned, should meet together to commemorate his virtues and mourn our loss, and when in our grief we recall the many ennobling qualities of head and heart which combined in him whose departure we bewail to-day, made the truly great lawyer, and added dignity and lustre to the profession,



when we sadly realize that he who was the trusted adviser of many of us, a friend to each of us, a model for all of us, has pillowed his head, white with the snows of many winters, upon the bosom of Infinite love, and entered into eternal rest; that no more in the tribunals of earth shall we hear his able exposition of the law or his lucid presentation of facts, and that he has now passed on to the highest of all Courts, from whose decision there is no appeal; when we already, in the bitterness of our desolation long for the touch of a vanished hand and list for a voice that is still, we feel constrained to say with the poet:

"Gone before us, Oh our brother,  
To the Spirit Land,  
Vainly look we for another  
In thy place to stand."

My brothers of the Bar, let us strive to emulate his virtues. Let us gather for ourselves fresh and noble impulses and inspirations from his example. Let us so fashion and mould our lives, as lawyers and as men, after his, that when our summons too shall come and we, weary of life's cares and burdens, cease from our labors and lie down with cold hands clasped on pulseless breasts in the dreamless slumber of the tomb, men can consistently say of us what to-day may be so truthfully said of him: He has lived in the world, and the world is the better for it.

CHARLES E. PATTERSON.

*Mr. Chairman:*

I suppose that if every person present in this room who feels that he has sustained a personal loss upon the occasion that calls us together were allowed to express to the fullest extent of his feelings his sense of what he desires to say upon this occasion, the sun would have run its daily course before we could have an adjournment. At the risk of obtruding myself upon those who desire to say further words in commemoration of the virtues of our deceased brother, I venture to claim your attention while I seek to add my tribute of respect to his memory.

I have read somewhere that there is a conscience of the head as well as of the heart, and that in old age we will feel as great remorse for misspent time and opportunities as we will for petty indulgences and possible lapses from virtue. I do not mean to intimate that there is possible ground for the suggestion that he whom we mourn was guilty of any vices or any lapses from virtue or any wrongdoing to any being, but I believe that the Supreme Being that takes an accurate account and casts a true balance of all the deeds of men will not condemn any one without considering the account in his favor, and I cannot help thinking that in balancing such an account there must be credited to Hamilton Harris an exceedingly large balance in his favor. Certainly he never in his later years had occasion for remorse for ill-spent moments. His life was a life of activity, and it is impossible for any of his

contemporaries to designate an ill-spent moment of his life.

Such occasions as this must give rise to philosophic thought. I believe that they make a mistake who undertake to speak of the death of a good man. A good and a strong man never dies. It is the inexorable law of nature that we come upon the earth and then pass away. Of the countless millions that have lived before us nothing of their material existence remains but they have helped make the world what it is and as each one has gone away so each of those now living must go away and we can say of each, as we now say of him whose virtues we commemorate :

“Like the dew on the mountain,  
Like the foam on the river,  
Like the bubble on the fountain,  
He is gone, and forever.”

At the same time the impress that he has made upon the world will continue through all succeeding ages. He is not dead, because his works live after him. He rests from his labor, but his works do follow him.

RANDALL J. LE BOEUF.

*Mr. Chairman:*

It is the province of youth to form ideals. It is the hoped-for privilege of age to rest in their realization.

And the young lawyer amidst the activity and unrest incident to the practice of his profession still finds the time for fancy flights and the creation of those ideals, the furtherance of the realization of which constitutes a part of his daily life.

And while he eagerly studies the lives and achievements of those eminent jurists who have made the American Bar famous throughout the world, it is tangible to the men by whom he is surrounded that, consciously or unconsciously, he looks for example and inspiration and courage.

The young lawyer of this Bar may well be proud of his environment and of the sources from which he draws that inspiration and strength, for no county of the state of New York has produced a more distinguished or honorable class of men than the Albany County Bar. And as the pages of its history are turned the lives of those there inscribed, both living and departed, are found well worthy our attention and emulation.

But among all these this sad event throws out in strongest relief to-day the attainments and achievements of our deceased associate, for whom we mourn, and to whom we have been accustomed to look for example and for counsel.

It was but natural that he, the oldest member of our Bar, should be by us watched with a peculiar interest, for here was a man full of years, respected and honored and retaining almost the vigor and strength of youth both in mind and body. Here was no tottering nor palsied age, but a spirit ever young despite the four-score years.

We have noted with admiration, his keen perception of the weaknesses and prejudices of human nature in the handling of difficult cases before a jury.

We have wondered at the breadth and depth of legal

learning and the adroitness by him displayed in the argument of cases before the Appellate Courts. We have been stimulated by the traditions handed down to us of his victories and successes in the public arena.

We have been inspired by the thought that this man, bold and skillful as a leader of men, astute, learned and successful in his profession, could yet turn from these vigorous pursuits and find rest and contentment with the cherished companion of many years in the home and recreation in the realms of literature and of art.

Nature had endowed Hamilton Harris with no feminine beauty, but with the strong frame and massive features of manly beauty. Inheritance, experience and assiduity had granted to him a mentality strong and well rounded, which had enabled him to grasp and solve with ease the most intricate problems of the law of government and of finance, and withal permitted him to follow with appreciation the more æsthetic pursuits of literature and of art.

But the trait of character for which he will be most remembered will be that inflexibility of purpose which marked and distinguished him from other men.

In the midst of the conflict of life he stood a bulwark of strength, unmindful of petty dissensions about him, unmoved by the strife about him.

“ Like some tall cliff that lifts its awful form,  
Far from the vale and midway cleaves the storm,  
Though round its breast the raging clouds are spread  
Eternal sunshine settles on its head.”

It is therefore meet and fitting that we of the younger generation should join with you, our older and distin-

guished brothers, in honoring the memory and the life and works of him who, so recently with us, has gone to join the great majority.

We have all profited by his example; we will find inspiration in his honored career, and you, as well as we, will cherish the memory of the hours in which we have had the privilege of association with him.

To-day, in the journey which we, both young and old, are together taking, comes the sorrowing consciousness that a great leader had heard the fateful call and advancing from the head of the column pursues his onward march.

A leader whose indomitable purpose and courage have strengthened us by the way. A leader whose kindly advice or word of warning were never wanting when required. A leader whose inspiring example shall fit us to bear and in victory overcome the perils and dangers of the further march as he has done before us.

One who has been, as we shall surely be called, "Onward, onward, into that dimness where the lights of time which have blazed along the procession are flickering in their sockets! And whither? We know not, and Death, hitherto our leader, deserts us by the wayside, as the tramp of our innumerable footsteps passes beyond his sphere. He knows not more than we our destined goal, but God, who made us, knows, and will not leave us on our toilsome and doubtful march, either to wander in infinite uncertainty or perish by the way."

J. NEWTON FIERO.

*Mr. Chairman:*

In view of the able eulogies which have been pronounced by those so competent to pronounce them, it seems to me that I can show my appreciation and friendship for Hamilton Harris and of his ability as a lawyer by simply seconding the resolutions which are before us.

The resolutions were then adopted.

CHIEF JUDGE PARKER.

There was a motion made to appoint a committee of three to present these resolutions to the Supreme Court.

Chief Judge Parker appointed as such committee Edwin Countryman, Thomas J. Van Alstyne and J. Fenimore Cooper.

MR. LEWIS B. HALL.

*Mr. Chairman:*

I think the Bar should meet at half-past one to attend the funeral, and I make a motion that we meet in this room and attend the funeral in a body. Adopted.

IN THE COURT OF APPEALS.

Marcus T. Hun appeared before the Court on the afternoon of Friday, December 14th, 1900, to announce the death of Mr. Harris. He said:

I have been requested by the members of the Albany Bar to announce to this Court the death of the Honorable Hamilton Harris, who has this day closed his earthly

career, in the fullness of years and of physical vigor and mental power, for time laid its hands upon his stalwart frame only in benediction. As he would himself have most preferred, in the midst of the activities of his professional life while engaged in the trial of a case at the Albany Trial Term, he was called to appear before the greater Assize.

Mr. Harris early attained pre-eminence among his associates at the Bar, which he retained until his death, not so much by his insistence as by their recognition of abilities of which it was the natural consequence. He was a strong man in all phases and relations of life, a determined man in all his commerce and communion with his fellow-men, and yet blended into every fibre of his vigorous manhood were golden threads of the kindest sympathies of a most gracious nature, which we who knew him well will long remember.

Chief Judge Parker, speaking for the Court, expressed the high appreciation which the Court had always entertained of the great ability and high character of Mr. Harris, and the great loss which the Bar and the Bench had sustained in his death. The Chief Judge further announced that out of respect for the memory of Mr. Harris the Court would now stand adjourned.

#### SUPREME COURT — RENSSELAER TRIAL TERM.

On the day when the funeral services were held the Supreme Court Trial Term was adjourned by Mr. Justice Chase at noon, out of respect to the memory of Mr. Harris, and to allow the members of the Rensselaer Bar to attend.



## IN THE ALBANY CITY COURT.

The following proceedings were had in the City Court this morning after the calendar was called.

Mr. Hevenor said :

“ If the Court pleases, within a few days past the Bar of Albany has lost one of its oldest and certainly its brightest members. In the death of Hamilton Harris there is no man connected with the Bar but what has been affected with the deepest regret for the loss to the Bar and to the public and with the deepest sympathy for the relatives of the deceased. It was my privilege, when I first came to Albany in 1849, to become acquainted with our deceased brother, and from that time down to this there have been sometimes very intimate and always very friendly relations. I found in my early practice in Hamilton Harris a friend who was willing to give advice to any young lawyer just starting into practice and was glad to assist him in any way that he could. He was a man who didn't possess any jealous disposition whatever; he was glad to see a young man rise and succeed in his profession, and he had the utmost contempt for charlatans in the practice. He always had the deepest respect for those who succeeded in the practice by pure legitimate conduct, and who exhibited any degree of talent which merited approbation. To such an extent was this carried on, that he could even speak commending words to a young man who, being arrayed against him, had succeeded in carrying his point before a jury or before the court. No man in the city of Albany within the last fifty years has acquired so much of the respect of the members of the Bar as did Hamilton Harris. I

therefore move that this court do now adjourn until tomorrow morning out of respect to our deceased member."

Mr. Norton: "I second the motion."

Mr. Colvin: "I desire to further second the motion and to offer the amendment that the court and the Bar here present adjourn from this place to the Albany County Bar Association meeting at the City Hall, at ten o'clock, and I desire to add that, being a young man in practice, I had the experience of meeting Hamilton Harris in the first year of my practice in the office I was then connected with very frequently, and the remarks of Mr. Hevenor express my own experience with the deceased. He has always shown a disposition to my knowledge to do the fair and the upright thing in the profession and to assist the young man when he could along the lines that he himself practiced. I do not think more can be added."

By the Court: "If there is no objection, the motion as amended will be adopted and the proceedings entered on the docket of this court. There being none, it is so ordered. The court will stand adjourned to meet at the Bar Association meeting at ten o'clock at the City Hall."

The members of the Bar met in the Supreme Court at 1:30 and attended the funeral in a body.

## REMARKS AT THE FUNERAL.

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REV. DR. WALLACE BUTTRICK.

I have been requested to say a few words in honor of our departed friend. With reluctance because of conscious unfitness for the honorable task, and yet willingly because of my respect for his manhood and memory, and out of my sincere sympathy with his mourning family, I comply.

Mr. Harris was for twenty-four years a member of the Pearl Street (now Emmanuel) Baptist Church, of which I am at present the pastor. He was baptized into its fellowship on the 2d of February, 1840, by the honored first pastor of the church, the late Dr. Bartholomew T. Welch, and until 1864 he remained a communicant of our church, when he withdrew from its membership and soon thereafter identified himself with the Baptist Tabernacle (now the Tabernacle Church), then located near his residence on North Pearl street. While never a communicant of that church, he was yet a constant attendant, a pew-holder, and for over thirty years member and president of its Board of Trustees. When it was decided to erect a new house of worship at the corner of Clinton avenue and Ten Broeck street, he became one of the foremost leaders and most generous supporters of this new enterprise, having as his associates in this work the late George Dawson, Lemon Thomson, and Michael McGarvey, his personal friends.

A former deacon and trustee of the Tabernacle Church said to me this morning: "Too much cannot be said of Mr. Harris' devotion to the interests of our church. He was one of the first to make a large subscription to the building fund. We often held our trustee meetings at his house; however busy he might be he always welcomed us when we came to him for counsel or co-operation, and often he would say 'raise what money you can and I will make up the rest.' He did not ask to lead; this, he said, belonged to the communicants of the church, but he was ready at all times with heartiest financial and moral support in all our work." Mr. Harris was a sincere and thoughtful believer in the teachings of Christianity, and we have his personal and voluntary testimony that he never wavered in his faith. Of this Dr. Mears will doubtless speak more at length.

Mr. Harris was singularly kind to his business associates, courteous at all times and under all circumstances, delicately considerate of their feelings and appreciative of their work. He seemed incapable of harshness or fault-finding. It is a great tribute to the beauty and worth of his character that those who best knew him most loved him. Any mistake of amanuensis or clerk, in correspondence or in legal document, he took to himself, and would say, "Please correct this, I must have given you the wrong word or the wrong reference." And so it came about that those who were associated with him, loved and revered him. They regarded him as friend and father, and it was their pleasure, not their task, to serve him. Such testimony as this, which I briefly and inadequately summarize, is

the sure index to his character, the highest possible tribute to the beauty and dignity of his soul.

It would be a pleasure to speak particularly of Mr. Harris' home life, his life in this home where he brought the bride of his youth fifty years ago, and where they lived together until two short years since, when she preceded him to the other world, but due regard for the feelings of those who mourn forbids. Suffice it to say that in all the relations and responsibilities of the home his life was characterized by gentleness, consideration, sympathy, faithfulness, and that "bond of all perfection," love. Deep, tender, sacred, abiding, are the memories of this home; they will prove to our mourning friends a perennial source of consolation and comfort.

Mr. Rudd has called my attention to a short poem, a bit of blank verse, which Mr. Harris composed in the summer of 1880, when he was resting for a while at Blue Mountain Lake in the Adirondacks. He wrote it on the back of a telegraph blank, and enclosed it in a letter to Mr. Rudd, his partner. I have asked the privilege of reading it at this time, for the lofty sentiment of the poem reveals somewhat of the reserved greatness of our friend, his capacity for great thoughts, his profound communion with nature, and the essential religiousness of his being.

#### BLUE MOUNTAIN.

"In thy lake, Blue Mountain, I've laved my feet,  
Thy mists have cool'd my brow. Thine everlasting  
Repose has calmed my spirit. Time's ceaseless flow  
Disturbs thee not. From age to age thou hast  
Been swept by tempests and mantled with clouds—

Races of men have come and gone — yet through  
 The strifes and storms thou remain'st unscathed.  
 In winter's cold, thou hast heard the Indian's  
 Wild whoop, and witnessed, in Summer's heat,  
 His chase o' the deer. Say, wast thou not lonely  
 When he forsook thy paths? Didst thou not mourn  
 The eagle from his eyrie on thy cliffs,  
 Or miss the panther, when he ceased to prowl  
 In thy woods? Canst thou not tell us the dramas  
 Enacted at thy feet? How long wilt thou  
 Continue to robe thyself in the green  
 Of the forest, and cover thy proud crest  
 With the blue of the sky? In dignity  
 Thou sittest, clothed in grandeur, and deign'st  
 Not to answer. Thy majestic presence  
 Rebukes the pride of man, and lifts his thoughts  
 Above life's tumults to thy Great Creator."

REV. DR. DAVID O. MEARS.

After the death of the great statesman of Marshfield, in 1852, the richest endowed orators of the Republic were summoned to express in fullest language the Nation's grief. Statesmen whose fame girdled the world, judges upon whose decisions civilization rested, teachers around whom the young men of the Republic gathered for instruction, editors whose power with the pen could match armies of ten thousands in influence — were all heard. Language almost staggered in delineating the man whose defense of the National Constitution established it. Diplomats pointed with pride to his skill in holding the Republic free from embarrassments. His

great name was spoken in every pulpit in the land. Crape became the national color on government buildings and halls of justice. Yet with all these reminders and mementoes before him, Judge Curtis quoted for pre-eminence the words of an unknown rustic farmer at the sight of the face of the dead: "Daniel Webster, the world without you will seem lonesome!"

No better words can fittingly express our loss to-day. For fifty-five years Hamilton Harris has been a conspicuous citizen of Albany. Concerning the improvements during the fifty-five years in the city of his adoption he might have said what his delicate modesty forbade his uttering, *magna pars fui*. The young man brought with him from college and professional school the reputation of elegant scholarship. His earliest efforts at the Bar marked him as belonging in the front rank. Like the distinguished Jeremiah Mason, he looked far deeper than the technicalities of law. No labor was too great, even to drudgery, in fathoming the principles underlying the codes of English law. Just as the surgeon draws without trembling hand the sharpest blade close to the vitals and gives new lease of life, so this eminent jurist dissected laws, not to destroy but to save. No mind can become cramped and narrow when grasping the fundamental principles of liberty and justice on which nations are founded and in accord with which life and property are safe. Take away the sanctity of law, and society is but a mob. The principles of jurisprudence can never change; they are as profound as life itself. They govern not only the individual, but also the nation; not the nation only, but the nations.

Jurisprudence is as broad as humanity, and is found where Moses found it, in the heart of God. Upon two foundations, the law of nature and the law of revelation, depends human justice. A theme as broad and deep as this must broaden and deepen the mind that grasps it. Illustrious examples all through the history of this Empire State declare the truth thus stated. A profession holding in its ranks such a name as John Jay needs no apology for the fruit of its discipline. Its great chancellors have given fame to the state. Its judges have lost none of the dignity belonging to the office. Its advocates are members of a fraternity whose errand cannot be trailed in the dust.

It is no slight testimony covered in the affectionate words of members of the Bar that Mr. Harris was their Nestor. The younger members of the fraternity looked up to him with reverence. His office was freely open to their calls for advice and counsel. His purpose was to render help to all who asked advice. He knew the toils of early self-denial. He knew by experience how few there are who see others rise in their profession and who bestow their help. He had almost outlived the friends of his youth. He passed through our streets, an old man amongst the hurrying throng, as though he did not expect to meet the friends he had known. You recall his slow and dignified steps and demeanor; his eyes somewhat cast down; on his way to his daily cares, yet in a sort of reverie. Bearing the heavy burdens of his profession, he yet appeared to belong to a generation almost gone. When his vision caught sight of you the reverie was displaced with the countenance lighted



up in the radiance of friendship; and then at parting the far-off vision was caught up again. For the past three years his thoughts were largely upon the Halls of the Hereafter. The vast majority of his contemporaries were there. Two years ago he told us that although the world had lost its hold upon him, he would try to be faithful to duty. But his heart was yonder while he worked on.

No case was too hard for his study. During his term as district attorney he prosecuted charges against eleven persons accused of murder. Of late years he has been recognized as the leading counsel of a great railroad corporation, but his work was not confined to that department of the law. What Chief Justice Marshall said of one of the most prominent attorneys of his day was true of Mr. Harris. Like Mr. Ogden, of whom Justice Marshall spoke, Mr. Harris always stated his case clearly at the opening, meriting the encomium of the Chief Justice given the other: "When he had stated his case it was well argued." Not a point in fact or argument was allowed to escape him. What was said of Chancellor Kent expressed his own characteristics: "In wit a man, simplicity a child." Beneath that calm exterior, back of that deep voice, beat a heart of inexpressible kindness. With all his strength, he had the gentleness of a woman. After the severe work of fifty-five years the verdict of those who knew him best has been given: "He has passed out of life with a character firmly established as thoroughly honest and unsullied."

The analysis of Mr. Harris' power as an advocate belongs to others to portray. They who have met him

as counsel, with him or opposing him, can better declare the keenness of his mind and the quickness of his perception. He had an eagle eye for justice to his client. A leading jurist has said that he used few decisions of the courts to sustain his position, but it was always found by the judges that the decisions upon which he did rely were absolutely conclusive and convincing. This characteristic reminds us of Choate in a celebrated trial, when the judge insisted on a precedent for issuing a certain order: "I will look, your Honor," said Mr. Choate in his characteristic urbanity, "and endeavor to find a precedent, if you require it; though it would seem a pity that the Court should lose the honor of being the first to establish so just a rule."

Eminent judges have already certified to the character of this advocate who never endeavored to mislead the Court. Statesmen in this commonwealth of giants will rehearse, as already some have done, his eminent services rendered the state in his career as senator, following his membership in the assembly, justifying the incisive judgment of Mr. Blaine as to his distinguished attainments: "A man of marked sagacity in political affairs." From his own words we read his personal character based on his calm purpose: "He who would best serve the state and win a name and secure public confidence should possess lofty principles; a keen faculty of vision to discover the wants and interests of society; an accurate acquaintance with current events, opinions and social tendencies; a deep penetration into the motives of human action, and a clear determination of the results of measures and movements."

The librarian of the Law Library has had the opportunity to observe for thirty-three years this man in that best place among all others to study character and method, for there is no better way of judging one than by his handling of books. The librarian's testimony is: "No man has entered the Law Library with a better appreciation of the books which he desired to consult. He had a definite idea of his errand, and always knew what he was after."

Yet, with all his rare gifts and high attainments, no one in private conversation has heard him narrate his prominent part taken in public affairs. His modesty was equal to his gifts. In the presence of all that was mortal, we as friends would not be true to the strength of his life and purpose were we to keep absolute silence concerning his professional accomplishments. Unconsciously to himself he illustrated the great dignity of the law.

Senator Harris never descended to artifice in his legal practice. No undignified word has ever been heard from his lips. His example to this generation has been that of a courtesy belonging to the old school. His home was his citadel. No annoyances of the public were ever allowed to enter that sacred place. There, in the companionship of the lovely wife, he had found rest after the children had passed from active parental care. All was well until the death of their idolized daughter bore down with breaking weight upon the mother's heart, and nearly staggered the courage of the fond father. Two years to a day from that in which Mrs. Harris went to the higher life, the beginning of the final

call came to him. For two full years the merry lives of the grandchildren, the companionship of the son, and the watchful care of the sister had brightened the life that still mourned like a dove for his mate. Resolute till the last, though with a sinking heart, he did his work until last Tuesday, addressing the court with compact argument, he clutched the desk before him to better withstand the shivering chills that shook his massive frame. That night when he came home his earthly work was finished.

We have referred to Senator Harris's grasp of the principles of his profession; yet his culture reached out into still broader fields. His library reflects the man, mirroring in each volume of widest research the breadth of his mind and heart. His home centered around his library. He kept up with the times both as to history and discovery. He knew the contents of each book that held its own special place. A broad-minded, large-hearted man! Do such men die? Does the failing body mean annihilation of the man? Does this event end all? In Mr. Webster's last days he penned his belief. In that statement he said: "No man who is not a brute can say that he is not afraid of death. No man can come back from that bourne; no man can comprehend the will or the works of God. That there is a God all must acknowledge. I see Him in all His wondrous works. Himself, how wondrous! The great mystery is Jesus Christ — the Gospel. What would be the condition of any of us if we had not the hope of immortality? What ground is there to rest upon but the Gospel?"

Less than three weeks ago Senator Harris, after dictat-

ing a letter, rested a moment as though having changed his thoughts upon the far-off world again, and then said: "The future! the future! My daughter is gone," he half soliloquized, "and my wife is gone! Can it be possible that there is no place in that future for them? Impossible! impossible!" And, reaching out his arms to their full measure along the line of the table, he asked: "And is there not a place there for me?"

Mr. Harris was eminently of a religious nature. Men who cramp the thought of existence down to end with the grave cheat themselves in their doubt. The Epicureans were logically right when they said in their blankness of calm despair: "Let us eat and drink, for tomorrow we die." Whatever else may be said, it is true that the heart that has no belief in God belittles and shortens its boundaries of life. Merely as an inspiration, the large conception of God uplifts man. He who has no hope beyond this life grows narrow and cynical. The greatness of the object of our faith greatens our nature. The heart that has ceased to beat trusted in God and the immortal life.

One winter's evening, a year ago, I sat with the honored man of this home in his library. Following the conversation along the line of his active, yet then lonely life, Mr. Harris dropped into the subject of his religious convictions. In language that never misplaced a word, he spoke of his reverence for sacred things; told of his early bringing up, and of his pleasure in attending to spiritual matters. He said directly: "I am not a member of the church, but I am a Christian." Clear as though uttered yesterday the words remain, concerning

which he continued to speak without reservation. Here was the man of broad experience; the leader of the Albany Bar; prominent in the civic affairs of state and nation; one who had known the measure of a large success; a man fearless in his courage; unfolding his child-like faith in the Gospel. He knew Whom he had believed and was persuaded that he was able to keep that which had been committed unto him against the day that then was future—the day that now has come. Senator Harris was too large a man to hide his principles or to be silent as to his hope. To me the memory of that evening casts a halo of brightness over this home. The world will point to the massive monument of his persistence, that more to him than to any other man owes its crowning beauty as the Capitol of the State. The architecture in its massiveness and beauty of finish well hints at the rugged yet finished culture that gave it possible shape; but to me the greatness of the man came into view as like a little child he declared his undying, firm Christian faith.

In some way the words of the Republic's first Chief Justice, John Jay, express the purity of a living trust, and give hint of this honored life we commemorate to-day. The secret of the eminence of the great Chief Justice in character, even matching his ability, may be read in the language he penned for only his wife to read: "A few years will put us all in the dust, and then it will be of more importance to me to have governed myself than to have governed the state." Let this day's mourning teach us the same lesson.

This service follows a two hours' gathering of the

Albany Bar in the Supreme Court room. In that continuous two hours' eulogies, affection, discriminating analyses of personal character and methods, memories of the great life ended, blended together in one harmonious tribute, through language golden in its worth and chaste in its beautiful finish — a language as though from lips touched with the honey of Hymettus, every one a mourner for the great lawyer and senator, from whom no unholy, nor unchaste, nor profane word has ever come; a man and public servant, whose memory has been so wrought into the fibre of our history that his honored name will never be forgotten. Each eulogy was a sermon with his life and character for a text — a life like this is worth living. The ink may fade upon the pages on which the language of eulogy is printed, but the great life thus commemorated will never be hidden. He rests from his labors, but his works do follow him. A model citizen, a worthy example in our generation, his name a rich inheritance to generations far down in the future of his family, "the memory of the just is blessed."

#### A TRIBUTE TO THE LATE HAMILTON HARRIS, LL. D.

To any one present at the meeting of the Albany County Bar Association, on the 17th instant, it was conspicuously evident that the tributes paid to the memory of Mr. Harris were at once sympathetic, spontaneous and genuine. Youth and age vied with each other in expressions of affection as well as respect. As the writer sat listening to the encomiums the thought occurred to him that it pays and pays well to live uprightly, with

due regard to the amenities of life, to deal generously, and to lend a hand.

Mr. Harris had elements of greatness as well as goodness in his nature. Of strong and rugged physique and fine physical development, he was possessed also of a superior mind, with a large vein of tenderness, delicacy and kindness. A Protagonist at the Bar worthy of any competitor, there was also present underneath a rugged exterior a most healthy mental and moral nature, with a domestic piety rarely surpassed. But his sentiments of religion and piety he never flaunted, hardly even acknowledged except by conduct. In his own home he was perhaps as near an ideal husband and father as could be found, and during the life of Mrs. Harris (who died two years ago) he was as polite toward and tender of her as in the early years of their married life. A few years ago the writer had the pleasure of dining at his house, Mr. and Mrs. Harris sitting at opposite ends of the table, a vase of flowers occupying the middle. Mr. Harris, with the tone and manner of a true lover, as he was, remarked: "Those flowers are beautiful and unobjectionable, except for one reason — I can't see Lucy through them." At which Mrs. Harris blushed like a maiden, and with equally felicitous phrase returned the compliment. 'This was quite characteristic of their relations. They were always lovers, and it was interesting to witness the ideal affection and regard which each had for the other, and this infinitude of love "age could not wither nor custom stale."

Mr. Harris was of a most tranquil temperament, never in a hurry, yet having an abundance of time for every-



thing, also with leisure now and then for conversation with a congenial companion. He accomplished what he undertook with a minimum amount of labor, and knowing always what he wanted and how to get it, he wasted no time in preparation. Having a well-stocked library he was familiar with every book, being especially fond of the best writers, particularly in poetry and biography. Although of four-score years at the time of his death, he was still young and youthful in spirit, and he never lost interest in the occupations and amusements of childhood.

Unfortunately types of manhood like this are passing away, and the world would therefore do well not only to cherish their memory, but emulate their example.

ALBANY, December 19, 1900.

At a legal meeting of the Regents of the University of the State of New York, held at their office in the capitol in Albany, December 20, 1900, the following action was taken:

#### EXTRACTS FROM OFFICIAL MINUTES.

Regent McKelway presented the following, which was adopted unanimously by a rising vote:

The Board of Regents have learned with sorrow of the sudden death of Hamilton Harris, LL. D., of Albany, who for the last fifteen years was a member of this body. Present at the meeting immediately preceding this and then, as always, active in our deliberations, Dr. Harris, despite his advanced years, seemed to be assured of an extended period of energetic usefulness in

his profession and in the public service. We wish gratefully to record our sense of his learning, of his wisdom, of his industry, and of his fidelity to the duties of the trust which he held here. The University has lost in him a member whose place cannot easily be filled, because of the association in him of unusual qualities for it. He was a learned and powerful lawyer. He was a clear and strong advocate. He was a sympathetic and sagacious counsellor. He was a sincere, serene and steady friend. He brought to the Board of Regents the rounded and ripened wisdom of half a century of deep study and large labor in important issues affected by relations to the rights and interests of men. We, who here enjoyed the fruits of his experience and the aids of his wisdom, would here record our appreciation of him as a citizen, a colleague and a friend. We respectfully tender to his stricken household the assurance of our sympathy with their sorrow, and the further assurance that with them in the days to come we shall recall his constancy and fidelity not merely for our own compensation and incentive, but also as a standard well worthy to be attained by his successors and our own.

The secretary is requested to transmit to the son of the late Regent Harris this expression of the Board at its first meeting following the death of his distinguished father.

JAMES RUSSELL PARSONS, JR.,

*Secretary.*

## ON MOTION OF REGENT SEXTON,

*Resolved*, That the secretary be directed to procure and print in the minutes with and as a supplement to adopted memorial tribute to our deceased brother, Hamilton Harris, his portrait and such appropriate general biographic data relating to him as would be desirable for subsequent cyclopedic or historical use.

JAMES RUSSELL PARSONS, JR.,  
*Secretary.*

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RESOLUTION ADOPTED AT REGULAR MEETING OF BOARD  
 OF DIRECTORS OF NATIONAL COMMERCIAL BANK,  
 ALBANY, N. Y., DECEMBER 14, 1900.

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The president announced the death of Hon. Hamilton Harris, which occurred December 14th, and the following minute was adopted:

The Board receives in great sorrow the announcement of the death of our fellow-director, Hamilton Harris.

Among the men of our generation he was a leader in thought, and one of our most conspicuous and prominent citizens.

His was a career of great usefulness, forming a link with the preceding generation. One of the most prominent Albanians, living to what is regarded as a ripe age, his alertness of intellect, and keenness of mind were the source of admiration to his friends. To the young he was an example, to the mature he was a wise and amiable adviser, to his associates an agreeable companion.

His sagacity was appreciated by those who knew him best, and his business ability was most apparent in his intercourse with the directors in the affairs of this Board.

We shall greatly miss his attendance at our meetings, and his associates, with deepest regret, enter this tribute to his memory as a faithful, diligent, sagacious member, and an important factor in the administration of the affairs of this bank.

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### **In Memoriam.**

At a meeting of the Board of Trustees of the Tabernacle Baptist Church of Albany, held Monday, December 17th, 1900, the following minute was adopted:

It is in great sorrow this board hears the announcement of the death of our esteemed friend, Hamilton Harris, who until a recent date was our honored chairman. He was an active member for a long period of years, and was its chairman for the past seventeen years. He was a most considerate man and under his guidance he proved to be a wise advisor. His high profession in life and keen intellect was an admiration to us all. We will miss him greatly in the administration of our affairs and this tribute to his memory is, that he was a high-minded and noble man, and his loss is a great one to this Board.

It is resolved that this minute be placed on the records of the church, and a copy sent to the members of his family.

By order of the Board.

WM. H. VAN WORMER,  
*Chairman.*

[From Hon. Andrew S. Draper.]

CHAMPAIGN, ILLINOIS, December 17, 1900.

MY DEAR MR. HARRIS:

It is needless to say that I was much surprised, and much pained, upon receiving your telegram yesterday afternoon announcing the death of your father. The sad news brought to me a sense of personal and severe loss. For a long time your father had been accustomed to do things which placed me under many obligations to him, and I esteemed him very highly. I knew, of course, of his advanced age, but his apparently robust health, and particularly the enthusiasm which he had over his work, led me to feel that he would yet be with us many years.

It is needless for me to say that your father will long be remembered by a multitude of people as an exceptionally strong man. It was my privilege to see him in many different relations, and to know something of his versatility as well as of his strength. He was a strong lawyer. The law seemed to be easy with him. He knew its sources, and entered into its spirit. He knew what the law was, and where to find it. He did not overtry his cases. He had a discriminating sense as to facts, and knew how to apply facts and law together. I doubt if there ever has been, or if there is likely to be, a more successful practitioner at the New York Bar.

Your father had a great relish for literature. He has told me that he never worked over his law cases at night; that he rested at night by reading standard literature, and came out fresh in the morning with zest

and enthusiasm for the business of the day. To my mind this was one of the secrets of his success as a lawyer. He had great aptness for politics and for public life. He could be engaged in politics, or he could entirely disassociate himself from politics. That is more than can be said of many. When he was engaged in politics, he pursued it as he would any other business. I have heard him say that politics was largely a matter of mathematics; that the results depended upon a knowledge of men, and upon the computations. He had an excellent judgment of men, and he was not accustomed to miscalculate upon results. As you remember, I was clerk to his committee during the four years he was in the senate, from 1875 to 1879. He enjoyed public life, and attained marked success in it. He never sneaked, and he never blustered. He feared no one, and he took advantage of no one. He would have been governor of New York easily enough if he had not liked law more than politics.

Perhaps better than all else, he was a man of strong sense. He was tolerant of others. He hated shams. He was not annoyed because one differed with him. He was kind to young men. He had sympathy for the weak. Because of all this he commanded the respect of the strongest and of the best. His passing away is a distinct loss to the old city for which he had done quite as much as any one ever did. It is no less a loss to a great profession and a great state. Surely the loss is greater to you than to any one else, but it must be an endless benefaction to you to inherit the memory of such a father.

I thank you very kindly for advising me of his death. I have to-day received Albany papers from other friends giving me the details. Death came suddenly, but I surmise about as he would have had it. Let me assure you that you have my most sincere sympathy, and that I shall long cherish, and be profited by, your father's memory. I am,

Very sincerely yours,

A. S. DRAPER.

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[From Judge Stephen L. Mayham.]

SCHOHARIE, N. Y., December 16, 1900.

MY DEAR MR. HARRIS:

The announcement in the Saturday evening papers of the death of your honored father impressed me with emotions of sorrow and regret. Although he had been permitted by health of body and mind to round out a long and useful life, yet his death in the full possession of his mental faculties, and apparently in the full tide of his active and successful professional career, cannot fail to make his loss keenly felt in the city and county in which he had so long been a prominent and conspicuous figure.

From my first acquaintance with Mr. Harris to the time of his death, he had been my beau ideal of a lawyer and gentleman.

Always zealous and painstaking in the cause of his client, yet dignified and respectful to the court, and courteous and affable to his opponent, he never failed

to impress all who came in contact with him, either professionally or socially, with the nobility of his nature.

As the leading and senior member of the Albany City Bar, I shall always remember with gratitude the kindly words of encouragement which I received from him when I entered upon my judicial duties in your city.

Please accept for yourself and family assurance of my sincere condolence in this sad bereavement.

Very respectfully yours,

STEPHEN L. MAYHAM.

[From Rev. Dr. A. V. V. Raymond, President of Union College.]

December 23, 1900.

DEAR FRED:

I was away at the time and so did not hear of your father's death until after the funeral and then it was a great shock to me, as I had met him only the week before as he was coming out of his office and had a moment's conversation with him. When I left him I thought "how well he looks and what a remarkable man he is for his years." So when I was told that he was dead I could scarcely believe it.

I know what this must mean to you, for in all my experience I have never seen a father and son more intimate, and just because the fellowship was so close and confidential your sense of loss must be beyond words. I do not know what I can say to help you but I want you to feel that I am not insensible to your sorrow, and as your friend sympathize truly and profoundly with you. You have lost so much during these last years that life



must seem peculiarly desolate, and yet there are some things that can never be taken away, the memory not only but the influence of those who are no longer with us abides. What they have given us of themselves is always ours, a part of our conscious existence of which nothing can rob us. How few men have such an inheritance as is yours. A mother whom every one recognized as one of the best and loveliest of women, and a father honored wherever his name was known, and both lived for you and in you, and are living still in all that is worthiest and best in your life.

I have read all that the members of the Bar Association said of your father and it was all true. He was worthy of the praise, they could not have said less knowing him as they did. To me he was always the high-minded, large-souled, courteous gentleman, and one of the few truly great men I have ever known. Esteeming him as I did I always took an especial pride in his relation to the college. His name was far up on the honor roll of its graduates, and the fact that you also bear the name of Union is but one of the many evidences of his loyalty. Such men are the glory of any college. As one by one they pass away it is for us who remain to take their places as best we may and continue their work. God bless you, Fred, in the years that are before you, and make these years rich in the things that are of everlasting worth.

Your friend and brother,

ANDREW V. V. RAYMOND.

[From Cyrus Clark Lathrop.]

ALBANY, December 17, 1900.

DEAR MR. HARRIS:

Permit me to express to you and yours my deep sympathy because of the loss you have sustained in the passing from your family circle of your revered father.

Your sense of loss is shared by hosts, for few men have left the impress of truth, energy, manfulness and true individuality as did your father.

Most sincerely,

CYRUS CLARK LATHROP.

December 15, 1900.

MY DEAR HARRIS:

\* \* \* Nothing can really prepare one for such losses or make them in any way tolerable. And yet it seems impossible to speak of your father in any terms of conventional mourning. The spectacle of his long and successful life, of his great natural force, which not even the burden of four-score years could break, and which left him a strong warrior in the battle of life up to his last hour, calls rather for admiration and envy. May it be given to others of us to make so good an ending. \* \* \*

E. D. W., JR.

PARIS, January 1, 1901.

MY DEAR FRED:

I just learn with profound regret of the great loss of friend, father, and companion, which you have suffered. Uncle Hamilton was a most remarkable man and one of great ability. It must be of great satisfaction to you that he preserved to the end the vigorous strength of both body and brain. He died at his post in the pride and splendor of his intellect and of his genius, unimpaired by the struggles of eighty years. Like Lord Chatham, death came to summon him while men were still listening to the splendor of his persuasive argument.

It was the noble close of a great career.

It is a source of great satisfaction both to Eleanor and to myself that we had the privilege of that pleasant meeting last May. We were deeply touched by his gentle affection and kindness. The noble dignity of his bearing left a lasting impression on our hearts and, I assure you that his name and memory will always be cherished warmly and tenderly. \* \* \*

C. H. P.

ALBANY, December 15, 1900.

MY DEAR MR. HARRIS:

With sincere regret I read in the papers of your father's death. In his death the city of Albany loses an eminent and honored citizen, an ornament to society. Although a man of great learning and lofty ideas, pos-

sessing rare gifts, and the highest order of talent, he was accessible to the humblest who sought his aid or advice, and by whom he was familiarly and affectionately known. To me his loss is irreparable, and until the breath leaves me, his memory will be cherished, his kindness can never be forgotten.

I liked to meet him or see him on the street. His personal appearance contributed to the attraction of those who had intercourse with him.

However much he may be missed by others, and his great loss felt, to none will his loss be so keenly felt as by yourself. I heartily sympathize with you and your family in this, your great affliction.

Believe me, sincerely yours,

J. J. M.

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ALBANY, December 15, 1900.

DEAR MR. HARRIS:

I have just heard of your father's death, and cannot help feeling that his loss is a personal one for me. He has always been a good friend, and we all felt we could go to him for advice at any time and get it in a most fatherly way.

No one connected with the road had the confidence and good will of the men in anything like the degree that your father had it. \* \* \*

J. R. L.

ALBANY, December 14, 1900.

\* \* \* I know of no man whom I regarded and respected more than I did Mr. Harris. I considered him my ideal as a man and a lawyer. He was always specially kind to me, from the time when I was a student, and I recall with pleasure very many instances which showed what a remarkable man he was. His death is to me a personal loss. \* \* \*

J. DEW. P.

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STAMFORD, CONN., December 14, 1900.

We were so shocked to hear the sad news that, really, we were without words, but after the first surprise I was aware in my own heart that dear Hamilton was too broken in spirit ever to rally from any physical stroke.

He knew I loved him, and how much I had always tried to please him — dear man, he was a true friend and a precious support to every one who ever asked his counsel, or desired his affection. I cannot but thank God for taking him with only a week's suffering. Oh, how much I have thought of him and wished I could be with him. In one of his latest letters he wrote that he would let me know when he came to New York, but he said, "I am loath to leave home." What a father, what a friend; others are left, but none to fill the gap his death has made. \* \* \*

I was looking at dear Hamilton's picture yesterday and talking aloud to myself — of what a glorious earthly record he has made, the immense good he has done in many ways — and too, very many, that only those to

whom good was given, will mourn and miss him, more than we know of. It seems sometimes that his death was too sudden, but to me God was merciful, I think, for I believe he would rather have gone as he did — he laid aside the earthly harness only a few short hours before he buckled on the glittering armor of the Hosts of Heaven. \* \* \*

A. H. C.

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NEW YORK, December 24, 1900.

MY DEAR FRED:

\* \* \* The memory of your grand and noble father will ever remain with me. Ever since I can remember I have looked up to him as the highest ideal of human grandeur; his noble figure and resonant voice, always commanded respect, and his grand character may ever be emulated by us all. There was no man living that I admired more and his loss to me can never be filled by any one else. \* \* \*

N. T. T.

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NEW YORK, December 18, 1900.

MY DEAR FRED:

"To live in hearts we leave behind is not to die"  
 Not changed but glorified! Oh, beauteous language  
 For those that weep.  
 Mourning the loss for the dear one departed,  
 Fallen asleep  
 Hushed into silence, never more to comfort  
 The hearts of man  
 Gone like the sunshine of another country,  
 Beyond our ken,"

\* \* \* The passing away of your grand, noble father, and my valued friend, has overpowered me with sorrowful sadness. To you all, the blow is, oh, so heartrending, so terrible, and will have the kindest sympathy, and we will have to submit with a realizing sense that we have lost one of the bravest and best. \* \* \* Dear Hamilton has passed away, but it is a great comfort to know, feel and believe that his life, which was so grand and so noble — and with such a record it can but be well with him, in that country from whose mystic regions no report is ever made. \* \* \*

H. L. R.

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ALBANY, December 15, 1900.

MY DEAR MR. HARRIS:

My heart is too full to say anything to you, for I have lost one of my best friends. No one could be with your father as I have been without loving him, and I did love him and shall always cherish his memory more than I can express.

If Mr. Harris was so much to me how great your loss must be — you two were so much each to the other. "Blessed are the homesick, for they shall reach their Father's house." God in His infinite mercy only separated your father and mother long enough to teach us how to be patient.

Yours with great sympathy,  
M. P.







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